



Kansas Register

Bill Graves, Secretary of State

Vol. 10, No. 47 November 21, 1991 Pages 1675-1706

In this issue . . .

Page

Legislative interim committee schedule	1676
Kansas Commission on Children, Youth and Families	
Notice of meeting.....	1677
State Board of Technical Professions	
Notice of meeting.....	1677
Executive appointments	1677
Secretary of State	
Correction notice concerning corporation forfeiture	1678
Board of Emergency Medical Services	
Notice of meeting.....	1678
Kansas Insurance Department	
Notice of hearing on proposed administrative regulations	1678
Notice to bidders for state purchases	1679
Department of Transportation	
Notice to contractors	1680
Social and Rehabilitation Services	
Notice concerning standards for SSI recipients' residential facilities	1681
Public notice.....	1682
Notice of Bond Sale	
U.S.D. 512, Johnson County	1682
U.S.D. 253, Lyon County.....	1683
State Board of Regents	
Notice of hearing on proposed administrative regulations	1685
State Board of Indigents' Defense Services	
Notice of meeting.....	1686
Department of Health and Environment	
Notice concerning proposed permit action	1686
Notice concerning Kansas water pollution control permits.....	1686
State Corporation Commission	
Notice of motor carrier hearings.....	1687
Permanent Administrative Regulations	
Department of Administration	1688
Kansas Insurance Department.....	1693
State Board of Mortuary Arts	1698
Index to administrative regulations	1702

State of Kansas

Legislature

Interim Committee Schedule

The following committee meetings have been scheduled November 25 through December 6:

Date	Room	Time	Committee	Agenda
November 25 November 26	514-S	10:00 a.m.	Special Committee on Judiciary	Review all proposal drafts. November 26 cancelled.
November 26	522-S	9:00 a.m.	SRS Task Force Subcommittee on Medical Services	Review of draft report. Continuation of committee discussion and recommendations.
December 3 December 4	514-S 514-S	10:00 a.m. 9:00 a.m.	Health Care Decisions for the 1990's	Agenda not available.
December 4	522-S	9:00 a.m.	Waste Reduction, Recycling and Market Development Commission	Agenda not available.
December 6	514-S	10:00 a.m.	Special Committee on Ways and Means/Appropriations	Agenda not available.

Emil Lutz
Director of Legislative
Administrative Services

Doc. No. 011323

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Register Office:
235-N, State Capitol
(913) 296-3489

State of Kansas

**Kansas Commission on Children,
Youth and Families****Notice of Meeting**

The Kansas Commission on Children, Youth and Families will meet from 1 to 4 p.m. Wednesday, December 4, at SRS Staff Development, Feldman Building, Room B, 300 S.W. Oakley, State Complex West, Topeka.

Robert Harder
Chairman

Doc. No. 011319

State of Kansas

Board of Technical Professions**Notice of Meeting**

The State Board of Technical Professions will meet at 1:30 p.m. Wednesday, December 4, at the board office, Room 507, Landon State Office Building, 900 S.W. Jackson, Topeka. The meeting is open to the public.

Betty L. Rose
Executive Secretary

Doc. No. 011325

State of Kansas

Secretary of State**Executive Appointments**

Executive appointments made by the Governor, and in some cases by other state officials, are filed with the Secretary of State's office.

Complete listings of state agencies, boards and commissions are included in the Kansas Directory. County officers are listed in the Directory of County Officers. Both directories are published by the Secretary of State's office.

The following appointments were filed November 15:

**Kansas Commission on Children,
Youth and Families**

(Members serve at the pleasure of the Governor.)

Dr. Grace Ketterman, 9231 Belinder, Leawood 66206.

Dave King, United Telecom, P.O. Box 11315, Kansas City, MO 64112.

John Moore, Cessna Corporation, Mid Continent Facility, 6330 S.W. Boulevard, Wichita 67215.

Debra L. Nelson, 5911 W. 84th, Overland Park 66207.

Hon. G. Joseph Pierron, Judge, Court of Appeals, Kansas Judicial Center, 301 W. 10th, Topeka 66612.

Samuel A. Seybold, 304 Mellane, Dodge City 67801.

Advisory Council on Community Colleges

Dr. Charles Empson, Community College Board of Trustees Appointee, P.O. Box 848, Independence 67301. Term expires June 30, 1995. Succeeds George Tregallas.

Dealer Review Board

Downer M. Tyler, Public Member, 5006 S.W. 28th, Topeka 66614. Term expires June 30, 1994. Succeeds John A. "Jack" Cassell.

Janet Waugh, 7574 Kaw Drive, Kansas City 66111. Term expires June 30, 1994. Succeeds Glenn Frye.

**Coordinating Council on Early Childhood
Developmental Services**

Nancy Peterson, Member and Chairperson, 3013 Riverview Road, Lawrence 66044. Term expires July 31, 1995. Succeeds Connie Grafel.

Sharon Rosenkoetter, A.C.C.K., 204 W. Columbus, Lindsborg 67456. Term expires July 31, 1995. Reappointment.

Debra Krauss Voth, Special Beginning Special Education Center, P.O. Box 399, Hutchinson 67504. Term expires July 31, 1995. Succeeds Nanette Harris.

Kansas Commission on Human Rights

Alyce Hayes Brown, Chairperson, 1831 S.E. 43rd, Topeka 66609. Serves at the pleasure of the Governor. Succeeds Andrew Ramirez, resigned.

**Advisory Commission on
Juvenile Offender Programs**

Sue Lockett, Chairperson, 3751 Worwick Town Road, Topeka 66610. Serves at the pleasure of the Governor. New position.

**Mid-America Manufacturing Technology Center
Advisory Council**

Sen. Alicia Salisbury, 1455 S.W. Lakeside Drive, Topeka 66604. Appointed by and succeeds the President of the Senate.

State Board of Mortuary Arts

Frank L. Bruner, 2215 Winsted Circle, Wichita 67226. Term expires July 31, 1994. Succeeds Philip Felton.

State Board of Nursing

Janet J. Jacobs, L.P.N. Appointee, 3031 S. Custer, Wichita 67217. Term expires June 30, 1995. Succeeds Elsie Flory.

**Kansas Public Employee
Retirement Study Commission**

David B. Dallam, State Employee Appointee, Division of the Budget, 1st Floor, State Capitol, Topeka 66612. Term expires September 30, 1994. Succeeds Gloria Timmer, resigned.

Kansas Commission on Veterans' Affairs

Leon Shaw, Jr., Fifth District/V.F.W. Appointee, 1222 Grand D, Parsons 67357. Term expires June 30, 1995. Succeeds Terrance Weaver.

Bill Graves
Secretary of State

State of Kansas

Secretary of State

Correction Notice Concerning
Corporation Forfeiture

A list was published in the October 31, 1991, issue of the Kansas Register of corporations forfeited October 15, 1991, for failure to timely file an annual report and pay the annual franchise tax. Ranson Capital Corporation of Wichita, Kansas, was incorrectly listed as being forfeited. Ranson Capital Corporation was not forfeited and is currently in good corporate standing in the state of Kansas.

Bill Graves
Secretary of State

State of Kansas

Board of Emergency Medical Services

Notice of Meeting

The Board of Emergency Medical Services will meet at 9 a.m. Friday, December 6, in Room 11, State Defense Building, 2800 S. Topeka Blvd., Topeka. Agenda items include committee reports, consideration of proposed administrative regulations, establishing criteria for an instructor-coordinator training program, approval of 1992 proposed legislation and a report on proposed changes to the Sedgwick County communications system.

All meetings of the board are open to the public. For more information, contact the administrator at 109 S.W. 6th, Topeka 66603, (913) 296-7296.

Bob McDanel
Administrator

Doc. No. 011334

State of Kansas

Kansas Insurance Department

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be at 10 a.m. Monday, December 23, in the third floor conference room of the Kansas Insurance Department, 420 S.W. 9th, Topeka, to consider the adoption of a proposed permanent regulation of the Kansas Insurance Department.

Copies of the full text of the regulation and the economic impact statement may be obtained by writing to the Commissioner of Insurance, 420 S.W. 9th, Topeka 66612. The following is a summary of the regulation and the economic impact statement:

K.A.R. 40-4-35 is a proposed regulation which with certain exceptions would adopt the July 1991 edition of the National Association of Insurance Commissioners' (NAIC's) model regulation to implement Medicare supplement insurance minimum standards as required by the federal Omnibus Budget Reconciliation Act of 1990 (OBRA90). The substantive exceptions to the NAIC model are provisions that have been incorporated as recommended by a drafting note in the model but not made an integral part thereof. The other exceptions are existing provisions that simply make the regulation consistent with Kansas law.

This regulation will have a significant fiscal impact on consumers, insurers and the Insurance Department, but is subject to such a multitude of individual variations that a precise economic impact cannot be quantified. The simplification of the Medicare supplement insurance program through establishment of standard benefit plans will permit consumers to be more selective in the benefits to be purchased while at the same time facilitating valid price comparisons. In addition, the increase in the expected loss ratio to 65 percent for individual Medicare supplement insurance policies coupled with the requirement to issue refunds or credits if actual experience does not meet the prescribed loss ratio standard will be a direct economic advantage to affected consumers.

Conversely, this comprehensive change in the Medicare supplement insurance minimum standards will require insurers to reprint, refile, retrain and reprogram their Medicare supplement insurance operations. In doing so, considerable expense will be incurred and the adverse economic impact will be significant.

Similarly, such changes will necessitate the processing of numerous filings of rates and forms by the Insurance Department. This work will be performed by existing staff because of budget constraints; however, such work will be performed at the expense of other responsibilities. Therefore, the fiscal impact on the Insurance Department will be adverse even though, aside from mailing costs, no additional funds will be expended.

Finally, it should be emphasized that these changes and the resulting economic impact will primarily flow from the amended regulation, but the regulation itself is required by federal law.

All interested parties may submit written comments prior to the hearing to the Commissioner of Insurance at the address above. The period of time between the date of publication of this notice and the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed regulation. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulation during the hearing.

Ron Todd
Commissioner of Insurance

Doc. No. 011324

State of Kansas

Department of Administration
Division of Purchases

Notice to Bidders

Sealed bids for the purchase of the following items will be received by the Director of Purchases, Landon State Office Building, 900 S.W. Jackson, Room 102, Topeka, until 2 p.m. C.S.T. on the date indicated and then will be publicly opened. Interested bidders may call (913) 296-2377 for additional information.

Monday, December 2, 1991

28366

University of Kansas Medical Center—Microbial detection system supplies (Organon Teknika)

90438

Department of Transportation and Kansas Highway Patrol—Refrigerant reclaimers, various locations

90439

Osawatomie State Hospital—Hazardous waste remediation services

90440

Department of Transportation—Lumber and plywood

90442

Legislative Research Department—Microcomputers

90443

Kansas State University—Ethernet equipment

90444

Kansas State University—Spectrophotometer

90445

Department of Transportation—Luminaires, Wichita

90454

Department of Transportation—Trucks

90477

Department of Health and Environment—Install key telephone system

90496

Department of Transportation—Cold asphaltic concrete mix, various locations

Tuesday, December 3, 1991

28143

Statewide—Laptop computers

28634

University of Kansas—Ethernet PC cards, Appletalk/LocalTalk ethernet bridges and routers

28641

Larned State Hospital—Janitorial chemicals-dilution control system

90437

El Dorado Correctional Facility—Hot/cold food transport carts

90468

Department of Revenue—Line matrix printer

90469

State Corporation Commission—CNG fuel conversion

Wednesday, December 4, 1991

26883

Division of Printing—Color separation services

28642

University of Kansas—Yogurt (frozen and unfrozen)

90475

Kansas State University—UNIX color workstation

90478

Kansas State University—Sterilizer

Thursday, December 5, 1991

27870D

Statewide—Carbonless paper

90484

Kansas State University—Theatrical lighting equipment

90485

El Dorado Correctional Facility—Steel

90509

El Dorado Correctional Facility—Miscellaneous hospital equipment

90510

El Dorado Correctional Facility—Hemodialysis machine

90511

El Dorado Correctional Facility—Patient monitoring equipment

90512

University of Kansas Medical Center—Electromyograph system

90513

University of Kansas Medical Center—Patient monitoring equipment

90514

University of Kansas Medical Center—Defibrillators

Friday, December 6, 1991

28643

Statewide—Individual portions

90495

Topeka Correctional Facility East—Labor only to install fire alarm system

Thursday, December 12, 1991

27854

Statewide—Orthotic supplies (Class 15)

Thursday, January 16, 1992

A-6342a

Kansas State University—Plant Sciences Building—Phase 2, Throckmorton Hall

Request for Proposals

Monday, December 9, 1991

90481

Senior management and co-management underwriter for the Kansas Department of Transportation

Friday, December 13, 1991

28644

Recalibration and rebasing of DRG reimbursement services for the Department of Social and Rehabilitation Services

Leo E. Vogel
Acting Director of Purchases

Doc. No. 011330

State of Kansas

Department of Transportation

Notice to Contractors

Sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the office of the Chief of Construction and Maintenance, KDOT, Topeka, until 10 a.m. C.S.T. December 19, 1991, and then publicly opened:

District One—Northeast

Jefferson—44 C-2813-01—County road, 2.1 miles west and 4.3 miles south of McLouth, then north, 1.2 miles, grading and surfacing. (Federal Funds)

Johnson—7-46 K-4466-01—K-7, intersection of Johnson Drive and 55th Street and K-7 in Shawnee, intersection improvement. (State Funds)

Johnson—35-46 K-3347-01—I-35 and 175th Street interchange and U.S. 56 bridge 12, grading and surfacing. (Federal Funds)

Johnson—35-46 K-3347-02—I-35 and 175th street interchange and U.S. 56 bridge 12, bridge replacement. (Federal Funds)

District Two—Northcentral

Chase—9 C-1381-01—County road, 4.7 miles east and 2 miles north of Cedar Point, then north, 0.6 mile, bridge replacement. (Federal Funds)

Cloud—28-15 M-1651-01—K-28, one mile east of Jamestown and west of Norway, stockpile bituminous mix. (State Funds)

Dickinson—21 C-2818-01—County road, 0.5 mile east of Chapman, then east, 0.7 mile, grading, surfacing and bridge. (Federal Funds)

Ellsworth—14-27 K-4647-01—K-14, from the north city limits of Ellsworth, north to the west junction of I-70, 7.7 miles, overlay. (State Funds)

Ellsworth—14-27 M-1653-01—K-14, 0.5 mile north of the east junction of K-14 and I-70, stockpile bituminous mix. (State Funds)

Ellsworth—156-27 M-1654-01—U.S. 156, one mile south of Ellsworth on K-156, stockpile bituminous mix. (State Funds)

Jewell—14-45 K-4532-01—K-14, from the east junction of U.S. 36 north to Kansas-Nebraska state line, 15.2 miles, bituminous seal. (State Funds)

Jewell—148-45 M-1652-01—K-148, one mile east of the junction of K-28, stockpile bituminous mix. (State Funds)

Jewell/Republic—106 K-4698-01—K-28, from the east city limits of Jewell, east to the Junction of K-148; and K-148, from the junction of K-28 in Jewell County east to the junction of U.S. 81 in Republic County, 28.0 miles, overlay. (State Funds)

Republic—81-79 K-4649-01—U.S. 81, from the north city limits of Belleville, north to the Kansas/Nebraska state line, 12.6 miles, recycling. (State Funds)

Republic—81-79 M-1655-01—U.S. 81, 3.5 miles west of the junction of U.S. 81 and U.S. 36, stockpile bituminous mix. (State Funds)

Republic—148-79 M-1650-01—K-148, two miles west of Norway, stockpile bituminous mix. (State Funds)

Washington—36-101 K-4543-01—U.S. 36, from the east city limits of Washington, east to the two-lane, four-lane, 9.2 miles, recycling. (State Funds)

Washington—36-101 M-1657-01—U.S. 36, 1.5 miles east of Washington, stockpile bituminous mix. (State Funds)

District Three—Northwest

Decatur—36-20 K-3623-01—Intersection of U.S. 36 and Penn Street in Oberlin, 0.1 mile, intersection improvement. (State Funds)

Decatur—83-20 K-3698-01—U.S. 83, from Sappa Street north to 250 feet north of Columbia Street in Oberlin, 0.2 mile, pavement reconstruction. (State Funds)

Graham—18-33 K-4026-01—K-18, South Fork Solomon River bridge 29, 0.7 mile south of U.S. 24, bridge replacement. (Federal Funds)

Osborne—181-71 K-4730-01—K-181, from the Osborne/Mitchell county line, west and north to north of the south city limits of Downs, 13.8 miles, overlay. (State Funds)

Osborne/Smith—106 K-4705-01—K-181, from the junction of U.S. 24 in Osborne County to the junction of U.S. 36 in Smith County; and U.S. 281, from the junction of K-9, north to the south city limits of Smith Center; and the east junction of U.S. 36, north to the Kansas/Nebraska state line, 43.7 miles, overlay. (State Funds)

Phillips—74 C-2782-01—County road, 2.0 miles east and 2.0 miles south of Phillipsburg, then north, 0.3 mile, grading and bridge. (Federal Funds)

Russell—84 K-4702-01—U.S. 281, from the north city limits of Russell, north to the east junction of K-18; and K-18, from the east junction of U.S. 281, east to the Russell/Lincoln county line, 36.4 miles, recycling. (State Funds)

Russell—232-84 K-4569-01—K-232, from the junction of K-181, north to the junction of K-18, 7.3 miles, bituminous seal. (State Funds)

Russell—281-84 K-3702-01—U.S. 281, from the Union Pacific Railroad, north to 15th Street in Russell, 0.3 mile, pavement reconstruction. (State Funds)

Sherman/Wallace—106 K-4703-01—K-27, from the east junction of U.S. 40 in Wallace County, north to the junction of I-70 in Sherman County; and U.S. 24B, entire route at Goodland in Sherman County, 32.9 miles, cold recycling. (State Funds)

District Four—Southeast

Coffey—31-16 K-3148-01—K-31, Rock Creek bridge 32, 2.3 miles south of the Osage/Coffey county line, bridge replacement. (Federal Funds)

Franklin—30 C-2086-01—County road, 1.5 miles east and 0.9 mile south of Pomona, then south, 0.3 mile, bridge replacement. (Federal Funds)

Harvey—40 U-1130-01—County road, High Street

from East 1st to East 8th Street in Newton, 0.8 mile, grading and surfacing. (Federal Funds)

Miami—61 C-2738-01—County road, 1.0 mile south of I-35 and 0.5 mile east of the Franklin County line, 0.2 mile, grading and bridge. (Federal Funds)

District Five—Southcentral

Rush—83 K-4714-01—K-96, from the junction of K-183, east to the Rush/Barton county line; and U.S. 183, from the Pawnee/Rush county line, north to the junction of K-96 in Rush County, 23.0 miles, overlay. (State Funds)

District Six—Southwest

Clark—283-13 K-4613-01—U.S. 283, from the Kansas/Oklahoma state line, north to the south junction of U.S. 160, 13.6 miles, recycling. (State Funds)

Ford—283-29 M-1662-01—U.S. 283, stockpile bituminous mix 2 miles south of Dodge City. (State Funds)

Ford—50-29 K-4609-01—U.S. 50, from Howell, east to the west city limits of Dodge City, 7.1 miles, recycling. (State Funds)

Greeley—36 K-4719-01—K-27, two blocks north of the junction of K-96, north to the Greeley/Wallace county line; and K-96, from the junction of K-27, east to the Greeley/Wichita county line in Greeley County, 26.7 miles, recycling. (State Funds)

Greeley—96-36 M-1664-01—K-96, stockpile bituminous mix, one mile west of Tribune. (State Funds)

Seward/Stevens—106 K-4721-01—K-51, from the east junction of U.S. 56 in Stevens county, east to the junction of U.S. 83 in Seward County; and U.S. 56, from the east junction of K-51, northeast to 5 miles northeast of the junction of K-25 in Stevens County, 31.1 miles, recycling. (State Funds)

Proposals will be issued upon request to all prospective bidders who have been prequalified by the Kansas Department of Transportation on the basis of financial condition, available construction equipment, and experience. Also, a statement of unearned contracts (Form No. 284) must be filed. There will be no discrimination against anyone because of race, age, religion, color, sex, handicap, or national origin in the award of contracts.

Each bidder shall file a sworn statement executed by or on behalf of the person, firm, association or corporation submitting the bid, certifying that such person, firm, association or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid. This sworn statement shall be in the form of an affidavit executed and sworn to by the bidder before a person who is authorized by the laws of the state to administer oaths. The required form of the affidavit will be provided by

the state to each prospective bidder. Failure to submit the sworn statement as part of the bid-approval package will make the bid nonresponsive and not eligible for award consideration.

Plans and specifications for the project may be examined at the office of the respective county clerk or at the KDOT district office responsible for the work.

Michael L. Johnston
Secretary of Transportation

Doc. No. 011332

State of Kansas

Social and Rehabilitation Services

Notice Concerning Standards for SSI Recipients' Residential Facilities

Public Law 94-566, section 505(d) enacted in 1976 and Public Law 97-35 enacted in 1981 established section 1616(e) of the Social Security Act, commonly known as the "Keys Amendment."

The Keys Amendment, as implemented by federal regulations 45 CFR Part 1397, requires each state to make available for public review a summary of the standards used in regulating residential facilities in which recipients of Supplemental Security Income (SSI) reside or are likely to reside.

Standards for some types of facilities are set by the Department of Social and Rehabilitation Services, while the Department of Health and Environment sets standards for others. The summary of all standards or further information about the full standards enforcement, procedures, waivers and violations set by SRS may be obtained by writing to the Department of Social and Rehabilitation Services, George D. Vega, Acting Commissioner, Mental Health and Retardation Services, Docking State Office Building, 5th Floor North, 915 S.W. Harrison, Topeka 66612-1570.

Further information about the full standards, enforcement procedures, waivers and violations set by the Department of Health and Environment may be obtained by writing to the Department of Health and Environment, Gerald Block, Director of Field Services, Landon State Office Building, 10th Floor, 900 S.W. Jackson, Topeka 66612-1290.

All affected facilities must meet the standards. Compliance with the standards assures that facilities provide a safe and healthy environment for SSI recipients and other disadvantaged persons in need of continuous protective oversight. Persons with knowledge of facilities which may not have met the standards are urged to write either SRS or KDHE at the above addresses.

Donna Whiteman
Secretary of Social and Rehabilitation Services

Doc. No. 011320

State of Kansas

Social and Rehabilitation Services

Public Notice

The Department of Social and Rehabilitation Services is seeking to identify non-profit charitable agencies in Wyandotte County and/or Johnson County that would be interested in administering a federal grant to provide social services to eligible refugees in the Wyandotte and Johnson counties area. Any agencies that have an interest or would like additional information can contact Philip P. Gutierrez at (913) 296-5157 no later than 4 p.m. Friday, November 29.

Donna Whiteman
Secretary of Social and
Rehabilitation Services

Doc. No. 011329

(Published in the Kansas Register, November 21, 1991.)

Summary Notice of Bond Sale
Unified School District 512
Johnson County, Kansas
(Shawnee Mission)
\$7,750,000
General Obligation Bonds
Series 1991

(general obligation bonds payable from
unlimited ad valorem taxes)

Sealed Bids

Subject to the official notice of bond sale and the preliminary official statement, sealed bids will be received by the clerk of Unified School District 512, Johnson County, Kansas (Shawnee Mission), on behalf of the board of education at the school district office, 7235 Antioch, Overland Park, until 11 a.m. central time on Wednesday, December 4, 1991, for the purchase of \$7,750,000 principal amount of General Obligation Bonds, Series 1991. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated December 1, 1991, and will become due serially on October 1 in the years as follows:

Year	Principal Amount
1992	\$1,185,000
1993	1,180,000
1994	1,245,000
1995	1,310,000
1996	1,380,000
1997	1,450,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on April 1 and October 1 in each year, beginning on April 1, 1992.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of \$155,000 (2 percent of the principal amount of the bonds).

Delivery

The school district will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before December 19, 1991, at such bank or trust company in the state of Kansas or in Kansas City, Missouri, as may be specified by the successful bidder.

Assessed Valuation and Indebtedness

The school district's equalized assessed tangible valuation for computation of bonded debt limitations for the year 1990 is \$1,750,380,154. The total general obligation indebtedness of the school district as of the date of the bonds, including the bonds being sold, is \$34,125,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Gilmore & Bell, Overland Park, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the school district, printed on the bonds and delivered to the successful bidder as and when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from Connie Sue Brand, Supervisor of Finance, 7235 Antioch, Overland Park, KS 66204, (913) 831-1900; from the financial advisor, Ranson Capital Corporation, 120 S. Market, Suite 450, Wichita, KS 67202, Attention: Jeff Ray, (316) 262-4955; or from Gilmore & Bell, Bond Counsel, 6800 College Blvd., Financial Plaza II, Suite 150, Overland Park, KS 66211-1533, (913) 661-0001.

Dated November 11, 1991.

Unified School District 512
Johnson County, Kansas
(Shawnee Mission)

By Nancy M. Yates
Clerk

Unified School District 512
7235 Antioch
Overland Park, KS 66204
(913) 831-1900

Doc. No. 011327

(Published in the Kansas Register, November 21, 1991.)

Notice of Bond Sale
\$9,000,000
General Obligation School Bonds
Series 1991
of
Unified School District 253
Lyon County, Kansas

Unified School District 253, Lyon County, Kansas, will receive sealed bids addressed to Norma J. Stinnett, district clerk, at the district office, 501 Merchant St., Emporia, KS 66801, until noon local time on Tuesday, December 3, 1991, for the purchase of \$9,000,000 General Obligation School Bonds, Series 1991, of the school district, at which time and place such bids will be publicly opened and read. No oral or auction bids will be considered.

Terms of the Bonds

The bonds will be dated December 15, 1991, and will mature serially on October 1 in the years and in the amounts set forth below. The bonds will consist of fully registered bonds, each in the denomination of \$5,000 or integral multiples thereof not exceeding the principal amount of bonds maturing on the same maturity date. Interest will be payable semiannually on April 1 and October 1 in each year (the interest payment dates), commencing April 1, 1993.

The principal of the bonds will be payable at the principal office of the Kansas State Treasurer (the paying agent and bond registrar) to the registered owners thereof upon presentation of the bonds for payment and cancellation. Interest on the bonds will be payable to the registered owners appearing on the books maintained by the bond registrar as of the 15th day of the month preceding each interest payment date (the record dates). The fees of the bond registrar for registration and transfer of the bonds will be paid by the school district.

The bonds will become due on the stated maturity dates as follows:

Principal Amount	Maturity Date October 1:
\$165,000	1993
175,000	1994
185,000	1995
200,000	1996
230,000	1997
255,000	1998
290,000	1999
320,000	2000
355,000	2001
395,000	2002
435,000	2003
465,000	2004
505,000	2005
550,000	2006
600,000	2007
655,000	2008
715,000	2009
770,000	2010
835,000	2011
900,000	2012

Bonds maturing on October 1, 2000, and thereafter will be subject to redemption prior to maturity at the option of the school district, as a whole or in part, in inverse order of maturity (selection of bonds for partial redemption of bonds of the same maturity to be by lot in \$5,000 amounts in a manner as the bond registrar deems appropriate) on October 1, 1999, or on any interest payment date thereafter, at the redemption price of 100 percent of the principal amount of bonds redeemed (without premium) plus accrued interest to the redemption date. If the school district elects to redeem and pay any of the bonds prior to maturity, the school district, or the bond registrar acting on behalf of the school district, shall give written notice of the intention to redeem and pay the bonds on a specified redemption date, such bonds being described by number, principal amount and maturity, which notice shall be given at least 30 days prior to the redemption date by (a) United States certified mail addressed to the paying agent and to the registered owner of each bond called, and (b) publication of the notice once in the official newspaper of the state of Kansas. Whenever a bond is called for redemption and payment as aforesaid, interest on that bond shall cease from and after the date for which call is made, providing funds are available for its payment.

Conditions of Bids

Bids for the bonds which specify the rate or rates of interest at which the bidder will pay not less than par and accrued interest for the bonds will be received. The same rate will apply to all bonds of the same maturity. Each interest rate specified will be a multiple of 1/8th or 1/20th of 1 percent. The difference between the highest and lowest rates specified in any bid will not exceed 2 1/2 percent. No interest rate will exceed the maximum interest rate allowed by Kansas law, said rate being the index of treasury bonds published in the Muniweek in New York, New York, on December 2, 1991, plus 2 percent. Bids of less than par and accrued interest and bids for less than the entire issue of bonds will not be considered.

As further conditions of the bid: (a) the number and denominations of bonds and names of the registered owners to be shown on the bonds initially delivered must be submitted in writing by the successful bidder to the bond registrar not later than December 17, 1991; (b) one week prior to the delivery of the bonds, the successful bidder shall furnish to the district the reoffering prices (excluding interest and expressed as dollar prices) to the public; and (c) a certificate stating that a substantial amount (i.e., 10 percent or more) of the bonds has been or will be sold to the public (excluding bondhouses, brokers or similar persons or organizations acting in the capacity of underwriters or wholesalers) at such reoffering prices must be executed by the successful bidder and furnished to the school district at the time of closing.

Bid Form and Good Faith Deposit

Bids will be submitted on the official bid form which may be obtained from the district or financial advisor, and will be addressed to Norma J. Stinnett, district

(continued)

clerk, district office at the address above, and will be marked "Bond Bid." Each bid will specify the total interest cost to the school district and the average annual net interest rate on the basis of such bid. The net interest cost to the school district will be determined by subtracting the amount of the premium, if any, from the total interest cost and will be stated as a dollar amount in the bid. The school district will be entitled to rely on such dollar amount as stated in the bid as the basis for determining the lowest net interest cost bid. If there is any discrepancy between the net interest cost and the average annual interest rate specified, the specified net interest cost will govern and the rates specified in the bid will be adjusted accordingly.

Each bid must be accompanied by a certified or cashier's check in the amount of \$180,000 made payable to Treasurer, Unified School District 253, Lyon County, Kansas. In the event a bidder whose bid is accepted fails to carry out the contract to purchase the bonds, said deposit will be forfeited to the school district. The checks of unsuccessful bidders will be returned promptly.

Award of Bid

The school district reserves the right to reject any and all of the bids and to waive any irregularities. Unless all bids are rejected, the bonds will be awarded to the bidder whose proposal results in the lowest net interest cost to the school district.

Delivery of the Bonds

Delivery of the bonds will be made to the successful bidder on or before December 27, 1991, at any bank in the state of Kansas or Kansas City, Missouri, at the expense of the school district. Delivery elsewhere will be made at the expense of the purchaser. The purchase price, including accrued interest from the date of the bonds to the delivery, will be paid at delivery or the good faith deposit will be forfeited. Payment for the bonds will be made in Federal Reserve funds or other immediately available funds not later than 11 a.m. C.S.T. on the day of delivery. The purchaser will be furnished with a complete transcript of proceedings evidencing the authorization and issuance of the bonds and the usual closing documents, which will include a certificate that there is no litigation pending or threatened at the time of delivery of the bonds affecting their validity.

Approval of Bonds/Tax Exemption

The bonds will be sold subject to the unqualified approving opinion of Cosgrove, Webb & Oman, bond counsel, of Topeka, Kansas, a copy of whose opinion will be printed on the reverse side of each bond. Manually signed originals of the opinion will be furnished without expense to the purchaser of the bonds at the delivery thereof. The cost of the opinion of bond counsel and the expense of printing the bonds will be paid by the school district. Bond counsel's legal opinion will contain a statement to the effect that the bonds are issued pursuant to K.S.A. 72-6761 and 10-101 *et seq.*, as amended, and will constitute general obligations of the school district, payable as to both principal and interest from ad valorem taxes which may be levied

without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the school district.

The opinion will state that the interest on the bonds is, under existing law, excludable from gross income for federal income tax purposes and is not an item of tax preference for purposes of the federal alternative minimum tax imposed on individuals and corporations, provided that for the purpose of computing alternative minimum taxes imposed on corporations, bond interest is taken into account in determining adjusted current earnings. The opinion set forth herein is subject to the compliance by the district with all requirements of the Internal Revenue Code of 1986, as amended, which must be satisfied subsequent to the issuance of the bonds in order that interest thereon be, and continue to be, excluded from gross income for federal income tax purposes; failure to comply with those requirements could cause the interest on the bonds to be included in federal gross income retroactive to the date of issuance of the bonds. The district has covenanted or will covenant to comply with all such requirements. The opinion will state that interest on the bonds is excluded from the computation of Kansas adjusted gross income. No opinion concerning tax consequences other than stated above will be given.

Related Federal Tax Matters

Prospective bond purchasers are advised that (a) with some exceptions, Section 265 of the code denies a deduction for interest on indebtedness incurred or continued to purchase or hold the bonds; (b) with respect to insurance companies subject to the tax imposed by Section 831 of the code, Section 832 of the code reduces the deduction for loss reserves by a percentage of the sum of certain items which include interest on the bonds; (c) for taxable years beginning before January 1, 1996, interest on the bonds earned by some corporations might be subject to the environmental tax imposed by Section 59A of the code; (d) interest on the bonds earned by certain foreign corporations doing business in the United States could be subject to the tax imposed by Section 884 of the code; (e) passive investment income, including interest on the bonds, may be subject to federal income taxation under Section 1375 of the code for Subchapter S corporations that have Subchapter C earnings and profits if greater than 25 percent of the gross receipts of the Subchapter S corporation is passive investment income; and (f) Section 86 of the code requires recipients of certain Social Security and Railroad Retirement benefits to take receipts or accruals of interest on the bonds into account in determining gross income. Bondholders should consult their tax advisors with respect to the above.

The school district will designate the bonds as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the code.

Assessed Valuation and Bonded Indebtedness

The total assessed valuation of taxable tangible property within the school district for the year 1991 is as follows:

Equalized assessed valuation of taxable tangible property	\$93,483,141
Tangible valuation of motor vehicles	<u>4,537,384</u>
Equalized assessed tangible valuation for computation of bonded debt limitations	\$98,020,525

The district has no present bonded indebtedness, and, upon the issuance of the bonds described herein, its indebtedness will be \$9,000,000.

CUSIP Identification Numbers

The district anticipates that CUSIP identification numbers will be printed on the bonds. All expenses in relation to printing of CUSIP numbers on the bonds and the expenses charged by the CUSIP Service Bureau for the assignment of said numbers shall be the responsibility of and shall be paid for by the school district.

Bond Rating

The school district has applied for a rating on the bonds.

Preliminary Official Statement and Official Statement

The school district has prepared a preliminary official statement, copies of which may be obtained from the school district's financial advisor. Upon the sale of the bonds, the school district will furnish the successful bidder with a reasonable number of copies of the final official statement without additional cost, upon request.

Official Information

Further information and additional copies of this notice of bond sale and the official bid form may be obtained from John C. McArthur, Beecroft, Cole & Company, Inc., One Townsite Plaza, 6th and Kansas Ave., Topeka, KS 66603, (913) 234-5671, the school district's financial advisor.

Dated November 12, 1991.

Unified School District 253
Lyon County, Kansas
By Norma J. Stinnett, Clerk
Board of Education

Doc. No. 011316

State of Kansas

Board of Regents

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 10 a.m. Friday, December 27, in the board room of the State Board of Regents, Suite 609, Capitol Tower, 400 W. 8th, Topeka, to consider the adoption of amendments to permanent regulations of the State Board of Regents.

All interested parties may submit written comments prior to the hearing to Ted D. Ayres, General Counsel, State Board of Regents, 400 S.W. 8th, Topeka 66603.

All interested parties will be given a reasonable opportunity at the hearing to present their views orally on the adoption of the proposed amendments to the regulations. In order to give all parties an opportunity to express their views, it may be necessary to request each participant to limit oral presentation to five minutes.

This 30-day notice constitutes a public comment period for the purpose of receiving written public comments on the proposed regulations.

K.A.R. 88-8-2, 88-8-9, 88-9-3, 88-13-4, 88-13-11, 88-18-3, 88-18-8, 88-19-2, 88-19-4, 88-20-3, 88-20-9, 88-21-3 and 88-21-8 are being updated and revised. These regulations set forth various eligibility requirements and guidelines regarding various student financial assistance programs administered by the Board of Regents.

Generally, the regulations are being revised to indicate and emphasize that applicants must be Kansas residents to participate in such student financial assistance program and to clarify that qualification under the authority of K.S.A. 76-729(b) for payment of tuition which is equivalent to a resident rate does not make that individual a resident of Kansas sufficient for eligibility for the various financial aid programs.

K.A.R. 88-8-9 is added to indicate various information which must be certified to by the institution where a recipient of a career work study program funds is enrolled.

K.A.R. 88-9-3 is revised to indicate that the board can require a fee which covers the cost of purchasing and administering the examination used with reference to the vocational education scholar program.

K.A.R. 88-13-11 is revised to clarify what information must be certified to by the institution where a recipient of tuition grant funds or state scholar funds is enrolled.

K.A.R. 88-21-3 is revised to indicate that financial need information must be provided by applicants for ethnic minority scholarship funds.

K.A.R. 88-21-8 is revised to clarify what information must be certified to by the institution where a recipient of ethnic minority scholarship funds is enrolled.

The number of people who may be impacted by the revisions cannot reasonably be estimated at this time although it is anticipated that the number will be relatively small. It is not expected that there will be any significant increase in costs to the Board of Regents, the institutions governed by the board, or the institutions which have students participating in the various programs as a result of these revisions. It is not anticipated that participation in the various state financial assistance programs will be negatively affected.

Copies of the proposed regulations and the economic impact statement may be obtained by contacting Ted Ayres at the address above, (913) 296-3689.

Ted D. Ayres
General Counsel

Doc. No. 011322

State of Kansas

Board of Indigents' Defense Services

Notice of Meeting

The State Board of Indigents' Defense Services will meet at 1:30 p.m. Friday, December 6, in the Florentine Room, first floor, Jayhawk Tower, 700 Jackson, Topeka. For additional information contact Ron Miles, Director, State Board of Indigents' Defense Services, Room 506, Landon State Office Building, 900 S.W. Jackson, Topeka 66612, (913) 296-4505.

Ronald E. Miles
Director

Doc. No. 011315

State of Kansas

Department of Health
and Environment

Notice Concerning Proposed Permit Action

The Secretary of Health and Environment is proposing to issue a permit in accordance with K.A.R. 28-19-14 (permits required) to Mulberry Limestone to install and operate a rock crushing plant in near Mulberry, Crawford County.

Written materials, including the permit application and information relating to the application submitted by Mulberry Limestone, draft permit, permit summary and analysis by KDHE describing the basis for the proposed permit, are available for public inspection during normal business hours through December 23 by contacting Lynn Ranabargar, KDHE, 1500 W. 7th, Chanute, 67202, (316) 431-2390. These materials are also available for inspection at KDHE, Building 740, Forbes Field, Topeka 66620-0001. Contact Gene Sallee, (913) 296-1575.

K.S.A. 65-3008 provides that any person affected by the issuance of a permit can request a public hearing prior to its issuance. The request must be in writing and addressed to the secretary. If the secretary determines there is sufficient reason in the request, a public hearing will be conducted—the place, date and time of the hearing will be announced in this publication. A request for a hearing or written comments on the proposed permit must be submitted to the Secretary, Kansas Department of Health and Environment, Landon State Office Building, 900 S.W. Jackson, Topeka 66612, before December 23.

Azzie Young
Secretary of Health
and Environment

Doc. No. 011331

State of Kansas

Department of Health
and EnvironmentNotice Concerning Kansas
Water Pollution Control Permits

In accordance with state regulations 28-16-57 through 63, 28-18-1 through 4, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, tentative permits have been prepared for discharges to the waters of the United States and the state of Kansas for the applicants described below. The tentative determinations for permit content are based on preliminary staff review, applying the appropriate standards, regulations and effluent limitations of the state of Kansas and the EPA, and when issued will result in a state water pollution control permit and national pollutant discharge elimination system authorization to discharge subject to certain effluent limitations and special conditions.

Public Notice No. KS-91-204

Name and Address of Applicant	Waterway	Type of Discharge
City of Osawatomie 5th and Main Osawatomie, KS 66064	Marais des Cygnes River	Secondary wastewater treatment facility

Miami County, Kansas

Kansas Permit No. M-MC30-0001

Fed. Permit No. KS-0021865

Description of Facility: This facility is designed for the treatment of domestic sewage. This is an existing facility. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and are water quality limited.

Public Notice No. KS-AG-91-136/138

Name and Address of Applicant	Legal Description	Receiving Water
Casey Jones Matador Cattle Co. Route 1, Box 157 Eureka, KS 67045	SE/4 Section 18 and NE/4 Section 19, Township 26S, Range 9E, Greenwood County, Kansas	Verdigris River Basin

Kansas Permit No. A-VEGW-BD01

The feedlot has capacity for approximately 800 cattle and a contributing drainage area of approximately 5.5 acres. This is a new facility.

Runoff Control Facilities: Feedlot runoff passes through two runoff collection/solids settling channels followed by a 300 ft. long settling channel, a shallow solids settling basin and a 700 ft. long by 120 ft. wide grassed filter channel. Effluent from the grassed filter channel flows over approximately 500 ft. of pastureland before entering Spring Creek.

Compliance Schedule: The water well along the east side of the proposed pens in the diversion channel must be plugged by a licensed water well contractor according to state regulations and a water well plugged report must be submitted to this department. The well shall be plugged before the pens are occupied by cattle.

Name and Address of Applicant	Legal Description	Receiving Water
Gary Lacer Route 2, Box 123 Baxter Springs, KS 66713	SE/4 Section 9, Township 35S, Range 23E, Cherokee County, Kansas	Neosho River Basin

Kansas Permit No. A-NECK-P009

The proposed facility will have capacity for approximately 33,000 turkeys.

Wastewater Control Facilities: Waste and litter will be dry stockpiled for subsequent disposal upon agricultural land. Storage capabilities will provide in excess of minimum requirements.

Compliance Schedule: A livestock waste management plan for the facility shall be developed. The plan shall cover, but not be limited to, the following items: handling and disposal equipment for both solid and liquid wastes, land application practices used to protect against runoff and leaching, waste application rates based on crop nutrient utilization, and identification of adequate land areas for application of all wastes. The waste management plan shall be based on accepted principles, methodologies and data for waste characteristics and crop utilization. The plan shall be submitted to the department within six months following receipt of detailed requirements. The approved plan will become part of this permit.

Name and Address of Applicant	Legal Description	Receiving Water
Pratt Feeders, Inc.	N/2 Section 25,	Cimarron River
DBA Ashland Feeders	Township 31S,	Basin
Lexington Route	Range 22W, Clark	
Ashland, KS 67631	County, Kansas	

Kansas Permit No. A-CICA-C001 Federal Permit No. KS-0047104

The feedlot has capacity for approximately 9,000 cattle with expansion planned for an additional 6,000 cattle and a contributing drainage area of approximately 80 acres. This is an expansion of an existing facility.

Runoff Control Facilities: Feedlot runoff is impounded for subsequent disposal upon agricultural land. Storage capabilities are provided in excess of 27.15 acre-feet.

Compliance Schedule:

- (1) Plans and specifications shall be submitted to the Department by April 1, 1992, to upgrade runoff containment ponds number 1, 2, and 3 to achieve compliance with required volumes in Section A, "Permit Limitations."
- (2) By April 1, 1992, a written agreement shall be obtained with a neighboring landowner for application of feedlot wastewater to at least 165 acres. A copy of said agreement shall be submitted to the department by April 1, 1992.
- (3) A livestock waste management plan for the facility shall be developed. The plan shall cover, but not be limited to, the following items: handling and disposal equipment for both solid and liquid wastes, land application practices used to protect against runoff and leaching, waste application rates based on crop nutrient utilization, and identification of adequate land areas for application of all wastes. The waste management plan shall be based on accepted principles, methodologies and data for waste characteristics and crop utilization. The plan shall be submitted to the department within six months following receipt of detailed requirements. The approved plan will become part of this permit.

Written comments on the proposed determinations may be submitted to Bethel Spotts or Angela Buie (agricultural permits), Permit Clerk, Kansas Department of Health and Environment, Division of Environment, Bureau of Water, Topeka 66620. All comments received prior to December 21 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate public notice number (KS-91-204 and KS-AG-91-136/138) and the name of applicant as listed when preparing comments.

If no objections are received, the Secretary of Health

and Environment will issue the final determinations. If response to this notice indicates significant public interest, a public hearing may be held in conformance with state regulation 28-16-61. Media coordination (newspapers, radio) for publication and/or announcement of the public notice or public hearing is handled by the Kansas Department of Health and Environment.

The application, proposed permit, including proposed effluent limitations and special conditions, fact sheets as appropriate, comments received, and other information are on file and may be inspected at the Kansas Department of Health and Environment offices, Building 740, Forbes Field, Topeka, from 8 a.m. to 4:30 p.m. Monday through Friday. The documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

Azzie Young
Secretary of Health
and Environment

Doc. No. 011328

State of Kansas**State Corporation Commission****Notice of Motor Carrier Hearings**

Applications set for hearing are to be heard on the date indicated before the State Corporation Commission, 1500 S.W. Arrowhead Road, Topeka, at 9:30 a.m. unless otherwise noticed.

This list does not include cases previously assigned hearing dates for which parties of record have received notice.

Questions concerning applications for hearing dates should be addressed to the State Corporation Commission, 1500 S.W. Arrowhead Road, Topeka 66604-4027, (913) 271-3196 or 271-3149.

Your attention is invited to Kansas Administrative Regulation 82-1-228, "Rules of Practice and Procedure Before the Commission."

Applications set for December 10, 1991**Application for Certificate of Convenience and Necessity:**

Martin Transport Co., Inc.) Docket No. 178,286 M
11613 Nantucket)
Wichita, KS 67212) MC ID No. 142126

Applicant's Attorney: Brad Murphree, 400 N. Woodlawn, Suite 1, Wichita, KS 67208

General commodities (except household goods, classes A and B explosives and hazardous materials),

Between all points and places in the state of Kansas.

(continued)

**Application for Certificate of Convenience
and Necessity:**

PAK Petroleum, Inc.) Docket No. 178,288 M
4045 N.W. 64th, Suite 180)
Oklahoma City, OK 73116) MC ID No. 132442

Applicant's Attorney: William Barker, 3401 Harrison,
Topeka, KS 66611

Asphalt,

Between all points and places in Kansas.

**Application for Certificate of Convenience
and Necessity:**

Pipes Enterprises, Inc., dba) Docket No. 178,289 M
Pipes Tow)
605 E. Oldham Parkway)
Lee's Summit, MO 64081) MC ID No. 119855

Applicant's Attorney: Clyde Christey, Southwest Plaza
Bldg., Suite 202, 3601 W. 29th, Topeka, KS 66614

Wrecked, disabled, repossessed and replacement motor vehicles, trailers, recreational vehicles, recreational trailers, golf carts, campers, pickup toppers, boats and motorcycles, iron and steel articles, machinery and implements, lading from wrecked or disabled vehicles (restricted, however, to transport no hazardous commodities),

Between all points and places in the state of Kansas.

**Application for Abandonment of Certificate
of Convenience and Necessity:**

High C Farms, Inc.) Docket No. 153,388 M
Route 1)
Seward, KS 67577-9801) MC ID No. 115715

Applicant's Attorney: None

**Application for Partial Abandonment of Certificate of
Convenience and Necessity:**

Hy Plains Moving &) Docket No. 143,737 M
Storage, Inc.)
303 S. Franklin)
Junction City, KS 66442) MC ID No. 120564

Applicant's Attorney: None

**Application for Abandonment of Certificate of
Convenience and Necessity:**

Albert Stiglmire) Docket No. 28,752 M
Route 5, Box 272)
Leavenworth, KS 66048-9230) MC ID No. 100210

Applicant's Attorney: None

Don Carlile
Administrator
Transportation Division

Doc. No. 011326

State of Kansas

Department of Administration

**Permanent Administrative
Regulations**

Article 5.—COMPENSATION

1-5-15. Salary of employee upon demotion. (a) Each employee who is demoted, in accordance with other sections of these rules, whether voluntarily or for disciplinary reasons, shall be paid at the same step of the range for the lower class as the step on which the employee was being paid in the higher class, or at any higher step so long as there is a decrease in rate of compensation. Upon approval of the director, any employee accepting a voluntary demotion may be paid at a step of the new range which does not result in decrease in rate if:

(1) the position must be filled expeditiously for effective government;

(2) the employee accepting a voluntary demotion has exceptional qualifications for the new position;

(3) accepting the voluntary demotion is in the best interest of state service; or

(4) the employee is taking a voluntary demotion in lieu of a layoff. The voluntary demotion shall not be within the same organizational unit except in the case of a voluntary demotion taken in lieu of a layoff.

(b) Nothing in this regulation shall prevent a demotion being made to a step in the range lower than permitted by this regulation, if agreed upon in writing by the employee and appointing authority. However, a promotional employee who is demoted pursuant to K.A.R. 1-10-8(b), shall be paid no less than the same step of the range for the lower class as the step that the employee was on immediately prior to the promotion.

(c) The pay increase date for any person demoted shall be governed by the time-on-step requirement of the step to which appointed.

(d) An employee who takes a voluntary demotion may also receive a salary step increase on the same date if eligible for such an increase.

(e) The provisions of K.A.R. 1-5-10, rather than this regulation, shall apply when a former permanent employee who was separated from the service for more than 30 days is reinstated to a class with a lower salary range. (Authorized by K.S.A. 75-3747, K.S.A. 75-2938; implementing K.S.A. 75-2938; effective May 1, 1979; amended, E-81-14, June 12, 1980; amended May 1, 1981; amended May 1, 1983; amended, T-86-17, June 17, 1985; amended May 1, 1986; amended May 1, 1987; amended March 20, 1989; amended Jan. 6, 1992.)

1-5-27. (Authorized by K.S.A. 75-3747; effective May 1, 1979; revoked Jan. 6, 1992.)

1-5-28. Shift differential. (a) Each agency having multi-shift operations shall designate one or more shifts as a normal day shift. Each agency shall specify no more than 12 consecutive hours in the day from which normal day shifts may be designated. Each normal day shift shall fall entirely within those designated hours.

(b) Except as provided in subsection (f), a shift differential shall be paid to classified employees in positions eligible to receive overtime pursuant to K.A.R. 1-5-24 for hours worked on regularly established shifts other than the normal day shift or shifts. The shift differential shall not be paid to an employee for any time the employee is on any type of leave or holiday.

(c) Upon recommendation of the secretary, the amount of the shift differential shall be that amount set by executive directive of the governor. The amount shall be recommended by the secretary after consideration of salary survey data and other appropriate and relevant factors, which shall be reviewed at least annually.

(d) With regard to particular classes of employees, or particular agencies, or employees located in particular geographic areas of the state, a recommendation to extend or deny the shift differential authorized by this regulation may be submitted by the director of personnel services to the secretary. This extension or denial shall be effective when the same has been approved by executive directive of the governor.

(e) Nursing personnel in the department of nursing services at the university of Kansas medical center receiving shift differential pay as provided by the legislature shall be excluded from the provisions of this regulation.

(f) The head of each agency with employees engaged in law enforcement and fire fighting activities, as defined in 29 C.F.R. 553, shall determine whether such employees will be eligible for shift differential as provided in this regulation and shall submit a written statement regarding such determination to the director. The determination as to eligibility for shift differential may be modified by executive directive of the governor. (Authorized by K.S.A. 75-3747; implementing K.S.A. 75-2938; effective, E-81-14, June 12, 1980; effective May 1, 1981; amended May 1, 1982; amended May 1, 1983; amended May 1, 1985; amended, T-86-17, June 17, 1985; amended May 1, 1986; amended Jan. 6, 1992.)

1-5-30. Benefits for employees activated to military duty. (a) Each employee who is ordered to report for active military service upon the activation of the National Guard and reserve units by presidential order, or who volunteers for such active duty, shall be eligible for the benefits defined below.

(1) Such an employee may request advance payment of any wages, compensatory time, and annual leave credits that will be accrued prior to the effective date of the military leave without pay.

(2) Upon returning to work for the state of Kansas, the employee may request advance payment of the first month's net salary.

(3) Within 30 days of returning to work for the state of Kansas, the employee may request restoration of annual leave credits received in cash at the time of activation if the employee reimburses the state of Kansas for the amount paid for annual leave credits.

(b) A death benefit shall be payable when an employee described in subsection (a) dies while on active military duty. The death benefit shall be in an amount equal to the amount provided by the group term life insurance through the Kansas public employees retirement system which the employee would have received at the time of death if the employee had not commenced active duty. The employing state agency at the time the employee entered active duty shall pay the death benefit. The death benefit shall be paid to

the employee's beneficiary or beneficiaries, as designated on forms approved by the director of personnel services. If no beneficiary has been designated, it shall be paid to the estate of the employee. The provisions of this subsection shall be applicable to all state employees who:

(1) immediately prior to entering active duty, were eligible for the insured death benefit provided under Article 49 of Chapter 74 of the Kansas Statutes Annotated and funded by the employing agency; and

(2) would not, at the time of death, be eligible for the death benefit described under paragraph (1).

(c) This regulation does not apply to federal active duty for training as stipulated in K.A.R. 1-9-7b. (Authorized by K.S.A. 75-3747, 75-5514; implementing K.S.A. 75-3746, 75-5515; effective, T-1-9-10-90, Sept. 10, 1990; effective Jan. 7, 1991; amended Jan. 6, 1992.)

Article 6.—RECRUITMENT AND STAFFING

1-6-29. Acting assignments. When a classified position is vacant and requires the temporary assignment of an employee who has permanent status in another position, the appointing authority may proceed, with the approval of the director and based on the following principles:

(a) The appointing authority shall initiate action to fill the position on a permanent basis, if the incumbent has permanently vacated the position. However, the appointing authority may delay filling the position because of a shortage of funds.

(b) An acting assignment may be used only when there are no other viable alternatives.

(c) The assignee shall meet the qualifications for the class of positions.

(d) Acting assignments shall not be used to generate a series of acting assignments for an employee.

(e) Except as noted in subsection (f), an acting assignment shall not exceed one year in length unless approved by the director. The acting assignment procedure shall not be used for a short duration, temporary assignment of an employee for less than 30 days.

(f) When a position is vacant due to a leave of absence, the acting assignment may be authorized for the duration of the leave of absence, except that continuation of an acting assignment beyond 12 months shall require approval of the director of personnel services.

(g) Documentation of the acting assignment shall be placed in the employee's permanent record.

(h) If an employee is acting in a position assigned to a salary range higher than that of the employee's normal position, the employee shall be paid at a step on the higher range that gives the employee an increase in pay. Such an increase shall not exceed the highest step possible if the employee were being promoted to the position. For the duration of an acting assignment, the employee may receive salary step increases in accordance with applicable salary step increase regulations. When the acting assignment is terminated, and the employee is returned to the former class, the employee's salary shall revert to whatever rate (dollar amount) it would have been had the employee not received the acting assignment. Neither the employee's pay increase date nor the employee's status in the normal position shall be affected by an acting assignment.

(continued)

(i) If an employee is acting in a position assigned to the same salary range as, or to a salary range lower than, that of the employee's normal position, the employee shall be paid at the employee's normal salary rate. For the duration of an acting assignment, the employee may receive salary step increases in accordance with applicable salary step increase regulations.

(j) If the employee is promoted to a position in which the employee has served in an acting assignment, the salary shall remain at the amount paid during the acting assignment and any accumulated months shall count towards the next pay increase. The time served in the acting assignment may be credited towards the promotional probationary period. (Authorized by K.S.A. 75-3747; implementing K.S.A. 75-2938; effective May 1, 1979; amended May 1, 1983; amended May 1, 1984; amended, T-86-17, June 17, 1985; amended May 1, 1986; amended May 1, 1987; amended Jan. 6, 1992.)

Article 9.—HOURS; LEAVES; EMPLOYEE-MANAGEMENT RELATIONS

1-9-4. Vacations. (a) (1) Each permanent, probationary, and conditional employee in the classified service, excluding those who are on temporary or emergency appointments, shall be entitled to vacation with pay which shall be earned and accumulated in accordance with this regulation. The maximum vacation credits earned each payroll period and the maximum amount of vacation credits that may be accumulated are as follows:

TABLE A
Vacation Leave Earnings Schedule for
Employees Paid Monthly or Semi-Monthly

Length of Service	Maximum Monthly Vacation Credits	Maximum Accumulation
Less than 5 years	8 hrs. per payroll period*	144 hours (18 working days)
5 years and less than 10 years	10 hrs. per payroll period*	176 hours (22 working days)
10 years and less than 15 years	12 hrs. per payroll period*	208 hours (26 working days)
15 years and over	14 hrs. per payroll period*	240 hours (30 working days)

* An employee paid semi-monthly shall earn 1/2 the time indicated in the above table for employees paid monthly. An employee working less than full-time shall receive proportional credit and shall have a proportional maximum accumulation limit. Overtime worked is not counted in determining vacation leave earned. An agency may prepare, subject to approval of division of personnel services, a table showing proportional credit given employees working less than full-time.

TABLE B
Vacation Leave Earnings Schedule for
Employees Paid Biweekly

Length of Service	Maximum Biweekly Vacation Credits	Maximum Accumulation
Less than 5 years	3.7 hrs. per payroll period*	144 hours (18 working days)
5 years and less than 10 years	4.7 hrs. per payroll period*	176 hours (22 working days)
10 years and less than 15 years	5.6 hrs. per payroll period*	208 hours (26 working days)
15 years and over	6.5 hrs. per payroll period*	240 hours (30 working days)

* An employee working less than full time shall receive proportional credit and shall have a proportional maximum accumulation limit. Overtime worked shall not be counted in determining vacation leave earned. An agency may prepare, subject to approval of division of personnel services, a table showing proportional credit given employees working less than full time.

(2) The maximum accumulations of vacation leave shown in tables A and B shall be enforced the last day of the last payroll period that starts in April.

(3) Prior to the end of the last day of the last payroll period that starts in January, each employee having more than the maximum accumulation of vacation leave credits to which the employee is permitted shall be notified of the specific amount of excess vacation leave credits. The employee shall be advised that these excess vacation credits must be used by or shall be forfeited on the end of the last payroll period that starts in April.

(4) If an employee terminates from the service, and if at time of termination, the employee has more than the maximum accumulation of vacation leave to which the employee is permitted in table A or B, the employee shall not be paid for any vacation leave in excess of the maximum accumulation to which the employee is entitled.

(b) Increased rates of vacation leave earnings based on length of service shall not be retroactive. Length of service shall be calculated in accordance with K.A.R. 1-2-46.

(c) An employee shall request approval to use vacation leave, as required by K.A.R. 1-9-3(a). The appointing authority shall not be arbitrary in approving or rejecting vacation leave requests. The appointing authority shall not unreasonably defer the taking of vacations so that for all practical purposes the employee is deprived of vacation rights.

(d) An employee wishing to use vacation leave any time after accrual shall request its use in the form and at the time prescribed by the appointing authority.

(e) Vacation leave credit earned by an employee during a pay period shall be credited to the employee on the first day of the following pay period. When an employee is not in pay status for an entire payroll period, Tables C and D shall be utilized to compute the number of hours of vacation leave to be credited for each payroll period.

TABLE C
Vacation Leave Earnings Schedule
for Employees Paid Monthly and Semi-Monthly

Hours Worked Per Pay Period*	Hours Earned Per Pay Period Based on Length of Service			
	Less than 5 yrs.	5 yrs. & less than 10 yrs.	10 yrs. & less than 15 yrs.	15 yrs. & over
0- 19	0.00	0.00	0.00	0.00
20- 39	1.00	1.25	1.50	1.75
40- 59	2.00	2.50	3.00	3.50
60- 79	3.00	3.75	4.50	5.25
80- 99	4.00	5.00	6.00	7.00
100-119	5.00	6.25	7.50	8.75
120-139	6.00	7.50	9.00	10.50
140-159	7.00	8.75	10.50	12.25
160-	8.00	10.00	12.00	14.00

* "Hours worked" means hours in pay status except that overtime worked and additional payment for holidays worked are not counted in determining vacation leave earned.

TABLE D
Vacation Leave Earnings Schedule
for Employees Paid Biweekly

Hours Worked Per Pay Period	Hours Earned Per Pay Period Based on Length of Service			
	Less than 5 yrs.	5 yrs. & less than 10 yrs.	10 yrs. & less than 15 yrs.	15 yrs. & over
0-7	0.0	0.0	0.0	0.0
8-15	0.4	0.5	0.6	0.7
16-23	0.8	1.0	1.2	1.4
24-31	1.2	1.5	1.8	2.1
32-39	1.6	2.0	2.4	2.8
40-47	2.0	2.5	3.0	3.5
48-55	2.4	3.0	3.6	4.2
56-63	2.8	3.5	4.2	4.9
64-71	3.2	4.0	4.8	5.6
72-79	3.6	4.5	5.4	6.3
80-	3.7	4.7	5.6	6.5
Annual Limit	96	120	144	168

* "Hours worked" means hours in pay status except that overtime worked and additional payment for holidays worked are not counted in determining vacation leave earned.

If the employee resigns or is otherwise separated from the service, the vacation leave credit earned in the pay period in which the separation occurs shall be credited to the employee and payment made to the employee for that leave as provided in K.A.R. 1-9-13.

(f) Holidays on which state offices are closed, occurring within the period of an employee's vacation, shall not be charged against the employee's vacation credits.

(g) If an employee or a member of the employee's family as specified in K.A.R. 1-9-5(e)(2) becomes ill while the employee is taking vacation leave, and for all intents and purposes, the employee is deprived of all or a significant portion of the vacation due to the illness, the appointing authority, upon request of the employee, may charge to sick leave some or all of the time the employee or family member was ill during the vacation.

(h) Vacation leave for school employees. Any classified employee in a school institution having scheduled vacation periods at stated times, including Thanksgiving or Christmas, when school is not in session, and who does not work during the scheduled vacation periods because the employee's services are not required, may be granted leave without pay for such periods or may have as many working days charged to the employee's vacation leave as the employee is on leave. Such vacation leave may be charged against vacation credits that have been accrued or against those vacation credits that will be accrued during the school term for which the employee is employed. Any classified employee at a school institution that is separated from the service before the end of the school term for which the employee is employed shall be charged on the final pay voucher for any days of vacation leave used in excess of days accrued. (Authorized by K.S.A. 75-3747; implementing K.S.A. 75-3746; effective May 1, 1979; amended, E-81-23, Aug. 27, 1980; amended May 1, 1981; amended May 1, 1983; amended May 1, 1984; amended May 1, 1985; amended Jan. 6, 1992.)

1-9-5. Sick leave. (a) Each permanent, probationary, and conditional employee in the classified service, excluding those who are on temporary or emergency appointments, shall be credited and accumulate sick leave as provided in this regulation.

(b) The maximum sick leave credit an employee is entitled to for any payroll period shall be as follows:

(1) Eight hours for employees paid on a monthly basis;

(2) Four hours for employees paid on a semi-monthly basis; and

(3) Three and seven-tenths hours for employees paid on a bi-weekly basis.

Each employee working a fraction of full time shall be credited sick leave in accordance with tables A or B.

TABLE A
Sick Leave Earnings Schedule
for Employees Paid Monthly and Semi-Monthly

Hours Worked Per Pay Period*	Hours Earned Per Pay Period
0- 19	0.00
20- 39	1.00
40- 59	2.00
60- 79	3.00
80- 99	4.00
100-119	5.00
120-139	6.00
140-159	7.00
160-	8.00

* "Hours worked" means hours in pay status except that overtime worked and additional payment for holidays worked are not counted in determining sick leave earned.

TABLE B
Sick Leave Earnings Schedule
for Employees Paid Biweekly

Hours Worked Per Pay Period*	Hours Earned Per Pay Period
0- 7	0.0
8-15	0.4
16-23	0.8
24-31	1.2
32-39	1.6
40-47	2.0
48-55	2.4
56-63	2.8
64-71	3.2
72-79	3.6
80-	3.7

* "Hours worked" means hours in pay status except that overtime worked and additional payment for holidays worked are not counted in determining sick leave earned.

(c) On the first day following each payroll period, the sick leave accrued during the previous payroll period shall be credited to each employee. In no case shall overtime worked be counted in determining sick leave credited. Each eligible employee paid on a monthly or semi-monthly basis shall be credited sick leave credits at the rate of one hour for each 20 hours in pay status, excluding overtime worked and additional payment for holidays worked, up to the maximum set forth in subsection (b).

(d) Each employee wishing to use sick leave shall request its use in the form and at such time as prescribed by the appointing authority, as required by K.A.R. 1-9-3(a). Any employee may be required by the appointing authority or the director of personnel services to provide evidence necessary to establish that the employee is entitled to use sick leave credits under the circumstances of the request. If the employee fails to provide this evidence, the use of requested sick leave may be denied by appointing authority or director. The appointing authority, with the director's approval, may require a physical examination of an employee by a physician designated by the agency at the agency's expense.

(continued)

(e) Sick leave with pay shall be granted only for the following reasons:

(1) illness or disability of the employee including pregnancy, childbirth, miscarriage, abortion, and recovery therefrom;

(2) illness or disability, including pregnancy, childbirth, miscarriage, abortion, and recovery therefrom, of a member of the employee's family when the illness or disability reasonably requires the employee to be absent from work. "Employee's family" shall be limited to:

(A) persons related to the employee by blood, marriage or adoption; and

(B) minors residing in the employee's residence as a result of court proceedings pursuant to the Kansas code for care of children or the Kansas juvenile offenders code;

(3) the employee's personal appointments with a physician, dentist, or other recognized health practitioner; or

(4) legal quarantine of the employee.

(5) the adoption of a child by an employee or initial placement of a foster child in the home of an employee, when the adoption or initial placement reasonably requires the employee to be absent from work.

(f) If an appointing authority has evidence that an employee cannot perform the employee's duties because of illness or disability, if the employee has accumulated sick leave, and if the employee refuses or fails to apply for sick leave, the appointing authority may require the employee to use sick leave, and upon exhaustion of the employee's sick leave, may require use of any accumulated vacation leave or compensatory credits. An appointing authority may request a written release by a physician before the employee is allowed to return to work. If the employee has exhausted all sick leave, accumulated vacation leave, or compensatory credit, the appointing authority may grant the employee leave without pay as provided in K.A.R. 1-9-6(c).

(g) If an employee or a member of the employee's family as specified in paragraph (e)(2) above becomes ill while the employee is taking vacation leave, and for all intents and purposes, is deprived of all or a significant portion of the vacation due to the illness, the appointing authority, upon request of the employee, may charge to sick leave some or all of the time the employee or family member was ill while on vacation.

(h) Each employee who is injured on the job and awarded workers' compensation shall be granted use of accumulated leave. The compensation for accumulated leave used each payroll period shall be that amount which, together with workers' compensation pay, equals the regular salary for the employee. Unless the employee requests otherwise, vacation leave credits and compensatory time credits shall be used only after sick leave credits have been exhausted. Workers' compensation days credited back to the employee shall be in multiples of half days only.

(i) Each former employee who had unused sick leave at time of separation, and who returns to the service to a permanent position within a year, shall have the unused sick leave returned to the employee's credit. This provision shall not apply to a person who has retired from the state service.

(j) Persons retiring from the classified or unclassified service who have completed eight or more years of service and who have accumulated 800 hours or more

of sick leave shall be compensated for a portion of the accumulation pursuant to the provisions of K.S.A. 75-5517. (Authorized by K.S.A. 75-3747; implementing K.S.A. 75-3707, K.S.A. 75-3746; effective May 1, 1979; amended, E-81-23, Aug. 27, 1980; amended May 1, 1981; amended May 1, 1983; amended May 1, 1984; amended May 1, 1985; amended Sept. 26, 1988; amended July 16, 1990; amended Jan. 6, 1992.)

1-9-21. Nepotism. (a) No person shall be appointed, promoted, transferred, demoted or otherwise employed in, any position in state service when, as a result, the person would supervise, manage, or be supervised or managed by a member of the person's household or a family member. No employee shall advocate, participate in or cause the appointment, promotion, transfer, demotion or discipline of a member of the person's household or a family member.

(b) The provisions of this regulation shall not be construed to apply to supervising or managing relationships existing on June 30, 1991. However, the appointment, promotion or transfer of any employee working under the supervision of a family member or household member on June 30, 1991, to another position under the same family or household member, is prohibited as of July 1, 1991.

(c) (1) For the purpose of this regulation, "family member" means:

(A) spouse, parent, child, or sibling;

(B) uncle, aunt, cousin or any relative of a preceding generation as denoted by the prefix of grand or great;

(C) step, foster or legally adoptive parents and other relatives of step, foster or adoptive parents as designated in paragraph (A) above; or

(D) parent, child or sibling related by marriage as denoted by the suffix of in-law.

(2) "Household member" means a person having legal residence in and living in the employee's place of residence.

(3) "Supervising" or "managing" means having the authority within the agency organizational hierarchy to recommend or approve the individual's appointment, transfer, promotion, demotion, salary, evaluation, suspension, termination, or other similar personnel actions. (Authorized by K.S.A. 75-3747; implementing L. 1991, ch. 150, Sec. 39; effective May 1, 1979; amended Jan. 6, 1992.)

Article 45.—MOTOR VEHICLE PARKING ON CERTAIN STATE-OWNED OR OPERATED PROPERTY IN SHAWNEE COUNTY

1-45-16. Removal of motor vehicles. In addition to any criminal penalties provided in K.S.A. 75-4501 *et seq.*, as amended, any motor vehicle, whether privately or publicly owned, parked in violation of any of these rules and regulations, may be deemed to be a common nuisance. Upon direction of the secretary of administration or the secretary's designee, the nuisance may be abated through removal and impounding of the motor vehicle. The cost of the abatement by removal and impoundment shall be a lien against the motor vehicle until paid by the owner or the owner's representative. (Authorized by K.S.A. 75-3706; implementing K.S.A. 75-4507; effective May 1, 1979; amended Jan. 6, 1992.)

James R. Cobler
Secretary of Administration

Doc. No. 011333

State of Kansas

Kansas Insurance Department

Permanent Administrative
Regulations

Article 1.—GENERAL

40-1-33. Insurance companies; hazardous financial condition; standards; corrective actions. Sections 3 and 4 of the national association of insurance commissioner's "model regulation to define standards and commissioner's authority for companies deemed to be in hazardous financial condition," June 1985 edition, are hereby adopted by reference. (Authorized by K.S.A. 40-103; implementing K.S.A. 1990 Supp. 40-222b and K.S.A. 40-222d; effective T-40-9-26-91, Sept. 26, 1991; effective Jan. 6, 1992.)

Article 2.—LIFE INSURANCE

40-2-15. Individual life insurance policies; right to return policy. (a) Each individual life insurance policy and annuity contract issued for delivery in this state shall contain a notice.

(b) The notice shall be printed on or attached to the first page of the policy. The notice shall be printed in not less than 10 point type and shall be printed in a bold face type or in some other manner that distinguishes it from the print otherwise appearing in the policy. It shall state that the person to whom the policy is issued shall be permitted to return the policy or contract within at least 10 days of its delivery to the purchaser and, except with respect to variable annuity contracts and variable life insurance policies as defined in K.A.R. 40-15-1 and K.A.R. 40-15a-1 respectively, have the total premium paid refunded if the purchaser is not satisfied. With respect to variable annuity contracts and variable life insurance policies, the person to whom the policy is issued shall be entitled to a premium refund equal to the sum of:

(1) The difference between the premiums paid, including any policy fees or other charges and the amounts allocated to any separate accounts under the policy; and

(2) the value of the amounts allocated to any separate accounts under the policy on the date the returned policy is received by the insurer or its agent.

(c) Each policy returned to the company or association at its home or branch office or to the agent through whom it was purchased shall be void. Each party shall be in the same position as if no policy had been issued. (Authorized by K.S.A. 40-103, 40-2404a; implementing K.S.A. 1990 Supp. 40-2404; effective Feb. 15, 1977; amended May 1, 1979; amended May 1, 1986; amended May 1, 1987; amended May 1, 1988; amended Jan. 6, 1992.)

Article 3.—FIRE AND CASUALTY
INSURANCE

40-3-22. Marine, inland marine or transportation insurance. (a) Risks and coverages which may be class-

ified under Kansas insurance laws as marine, inland marine or transportation insurance shall be those contained in this regulation. The regulation does not limit insuring powers granted under charters and licenses.

(b) Unless otherwise permitted, marine, inland marine or transportation insurance may not insure:

(1) Storage of insured's merchandise, unless specially permitted below;

(2) merchandise during manufacture, which is the property of the manufacturer and is on the manufacturer's premises;

(3) furniture and fixtures, or other improvements to buildings; or

(4) money and securities stored in safes, vaults and safety deposit vaults at any bank, or on the insured's premises, except while being transported.

(c) A marine, inland marine or transportation policy may insure:

(1) Imported property wherever located, provided the coverage includes risks of transportation. Property qualifies for coverage as an import if it maintains its separate identity and has not become mixed with other property in general commerce until:

(A) Sold or delivered by the importer;

(B) taken from its place of storage and put on sale as part of the importer's stock in trade at any sale or distribution point; or

(C) delivered for manufacture, processing or change in form.

(2) Exported property wherever located, provided the coverage includes risks of transportation. Property shall qualify for coverage as an export when it:

(A) Is designated for export or is being prepared for export; and

(B) has not been diverted for domestic trade.

(3) A domestic shipment which begins and ends within the United States, provided the coverage includes risks of transportation, including:

(A) Property on consignment while it is:

(i) For sale or distribution;

(ii) for exhibit, trial, approval, or auction; or

(iii) in transit, in the custody of others, or being returned.

Coverage shall not apply to property while on any premises owned, leased or operated by the consignor.

(B) property which is not on consignment, except:

(i) When on any manufacturing premises; or

(ii) after arrival at any premises owned, leased or operated by the insured or purchaser.

(4) an instrumentality of transportation or communication, excluding buildings and their improvements, furniture, furnishings, ordinary contents and stored supplies. Instrumentalities of transportation or communication include:

(A) Bridges, tunnels or similar transportation facilities, including their auxiliary structures and equipment;

(B) piers, wharves, docks, slips, dry docks, or marine railways;

(C) pipelines, including on-line propulsion, regulating and other related appurtenant equipment, excluding property at manufacturing, producing, refining, converting, treating or conditioning plants;

(continued)

(D) power transmissions or telephone and telegraph lines, excluding all property at generating, converting or transforming stations, substations and exchanges;

(E) radio and television communication equipment, including towers and antennae with their auxiliary equipment and appurtenant electrical operating and control apparatus; and

(F) outdoor cranes, loading bridges or similar equipment used for loading, unloading and transport.

(5) a policy for an individual, such as:

(A) A personal effects policy;

(B) a personal property policy;

(C) a government service policy;

(D) a personal fur policy;

(E) a personal jewelry policy;

(F) a wedding present policy, for up to 90 days after the wedding day;

(G) a silverware policy;

(H) a fine arts policy, insuring paintings, etchings, pictures, tapestries, art glass windows and other works of art which have rarity, historical value or artistic merit;

(I) a stamp and coin policy;

(J) a musical instrument policy. A musical instrument shall not include a radio, television, record player or a combination of them.

(K) a mobile articles policy covering identified property of a mobile nature usual to a household. A floater shall not cover furniture and fixtures that are customarily used on the premises where the property is usually kept;

(L) a machinery and equipment policy, except for policies covering motor vehicles, auto homes, trailers or semi-trailers designed for highway use. Trailers or semi-trailers hauled by a tractor not designed for highway use can be covered under this policy, however.

(M) an installment sales and leased property policy covering property, except for motor vehicles designed for highway use, that is in transit and is:

(i) Sold under a conditional contract of sale, partial payment contract or installment sales contract; or

(ii) leased. These policies shall not cover beyond the termination of seller's or lessor's interest in the property; or

(N) a live animal policy.

(6) a commercial property policy for business or professions such as:

(A) A radium policy;

(B) a physicians' and surgeons' instrument policy. The policy may also cover furniture, fixtures and the insured's interest in improvements to buildings located in those portions of the premises occupied by the insured for professional purposes;

(C) a pattern and die policy;

(D) a theatrical policy, but the policy shall not cover buildings and their improvements nor furniture and fixtures that do not travel with theatrical troupes;

(E) a film policy covering:

(i) A film during production; or

(ii) a completed negative, positive, and sound recording;

(F) a salesmen's samples policy;

(G) a exhibition policy covering property while on exhibition and while in transit to or from an exhibition;

(H) a live animal policy;

(I) a builders' risk or installation risk policy, covering machinery, equipment, building materials, or supplies being used with and during installation, testing, building, renovating or repairing. A policy may cover property designated for and awaiting specific installation, building, renovating or repairing:

(i) While at a point or place where work is being performed;

(ii) while in transit; or

(iii) during temporary storage or deposit. The policy shall cover against perils in addition to fire and extended coverage perils. Coverage shall cease when an insured owner completes and accepts the building or installation and the insured seller or contractor's interests ceases.

(J) a mobile articles policy covering identified property of a mobile nature which is in the custody or control of a party who intends to use the property for its manufactured or created purpose. The policy shall not cover furniture and fixtures that are not customarily used away from the premises where the property is usually kept;

(K) a machinery and equipment policy, except for a motor vehicle or snow plow designed for highway use, an auto home, or a trailer or semi-trailer unless hauled by a tractor not designed for highway use;

(L) a bailment policy covering property in the custody of any bailee and while in transit to or from the bailee. The policy shall not insure property:

(i) Owned by the bailee at the bailee's premises; or

(ii) in the custody of any bailee owned, controlled or operated by the bailor;

Bailment policies may include coverage which will indemnify the owner of the property for loss from such perils as are enumerated and subject to such terms and conditions as the commissioner of insurance has approved. The application of an additional or separate charge for the indemnity coverage shall not constitute the transaction of the business of insurance if such charge is not in excess of the premium approved by the commissioner and the bailee, the bailee's employees or other associations receive no compensation or other valuable consideration for performing the administrative tasks associated with the insurance coverage.

(M) an installment sales and leased property policy covering property, except a motor vehicle designed for highway use, that is in transit and is:

(i) Sold under a conditional contract of sale, partial payment contract, or installment sales contract; or

(ii) leased. The policy shall not cover beyond the termination of the seller's or lessor's interest in the property, nor cover machinery and equipment subject to certain "lease-back" contracts. "Lease-back" contracts mean contracts, expressed or implied, under which the property is purchased by the lessor for the benefit and use of the lessor. This provision does not apply to "lease-back" contracts involving machinery and equipment for which marine or inland marine cov-

erage is otherwise permitted by this definition while the machinery and equipment is in the custody of the lessee.

(N) a garment contractors policy;

(O) a furrier or fur storer policy covering specified articles belonging to a customer for which the furrier or fur storer issues a certificate or receipt to the customer;

(P) an accounts receivable policy and valuable papers and records policy;

(Q) a floor plan policy covering property for sale, except for an automobile or other motor vehicle designed for highway use, while in transit and while in possession of any dealer under a plan by which the dealer borrows money from a bank or lending institution with which to pay the manufacturer. In addition, the following conditions shall be met:

(i) The property shall be specifically identifiable as encumbered to the bank or lending institution;

(ii) the dealer's right to sell or otherwise dispose of the property shall be conditioned upon its being released from encumbrance by the bank or lending institution; and

(iii) the policy shall not cover beyond the termination of the dealer's interest in the property;

(R) a sign and street clock policy. The policy may include insurance of a neon sign, an automatic or mechanical sign and street clock while in use.

(S) a fine arts policy for the account of a museum, gallery, university, business, municipality or other similar interest, covering paintings, etchings, pictures, tapestries, art glass windows and other works of art which have rarity, historical value or artistic merit;

(T) a dealers policy insuring a dealer in personal property which may be covered specifically under an inland marine policy by the ultimate purchaser, including:

(i) Any musical instrument dealer covering property consisting principally of musical instruments and their accessories. Musical instruments do not include radios, televisions, record players and combinations of them;

(ii) any camera dealer covering property consisting principally of cameras and their accessories;

(iii) any furriers dealer covering property consisting principally of furs and fur garments;

(iv) any equipment dealer covering mobile agricultural and construction equipment and accessories, except for motor vehicles designed for highway use;

(v) any stamp or coin dealer covering property of a philatelic or numismatic nature;

(vi) any jeweler's block; and

(vii) any fine arts dealer.

A policy under this paragraph may cover money stored in locked safes or vaults on the insured's premises, furniture, fixtures, tools, machinery, patterns, molds, dies and insured's interest as a tenant in improvements to buildings.

(U) a wool growers policy;

(V) a domestic bulk liquid policy, covering tanks and domestic bulk liquids stored in them;

(W) a difference in conditions policy. The policy shall not insure against fire and extended coverage perils; and

(X) Any electronic data processing policy. (Authorized by K.S.A. 40-103, 40-937(d); implementing K.S.A. 40-925, 40-926, K.S.A. 1990 Supp. 40-927, 40-928; effective Jan. 1, 1966; amended Jan. 1, 1967; amended May 1, 1986; amended Jan. 6, 1992.)

Article 4.—ACCIDENT AND HEALTH INSURANCE

40-4-37. Long term care insurance; definitions; limitations; requirements; disclosure provisions. (a) This regulation shall apply to individual or group long term care insurance policies, subscriber contracts, endorsements and riders delivered or issued for delivery in this state by the following:

(1) Insurance companies;

(2) fraternal benefit societies;

(3) nonprofit hospital and medical service corporations; and

(4) health maintenance organizations.

(b) A policy, rider or endorsement shall not be advertised, described, solicited or issued for delivery in this state as long term care insurance unless it conforms to the requirements of this regulation.

(c) As used in this regulation, these terms shall have the following meanings:

(1) "Long term care insurance," "group long term care insurance," "commissioner," "applicant," "certificate" and "policy" shall have the meanings set forth in K.S.A. 1987 Supp. 40-2227.

(2) "Medicare" means programs established by the "Health Insurance for the Aged Act," Title XVIII of the social security amendments of 1965, as then constituted or later amended.

(3) "Nursing home" means a facility, other than a hospital, which is primarily engaged in providing nursing care and related services on an inpatient basis under a license issued by the appropriate licensing agency. It may be a freestanding facility, including skilled nursing homes, intermediate care homes, intermediate personal care homes, one-bed adult care homes and two-bed adult care homes. It may also be a distinct part of a facility, including a ward, wing, unit or a swing-bed of a hospital or other institution. Any definition of a nursing facility shall adhere to the above definition unless otherwise approved by the commissioner of insurance.

(4) "Mental or nervous disorder" shall not be defined more restrictively than including neurosis, psychoneurosis, psychopathy, psychosis, or any mental or emotional disease or disorder. However, no policy, contract or rider shall exclude or limit benefits on the basis of organic brain disease, including alzheimer's disease or senile dementia.

(5) "Nurse" may be defined so that the description of a nurse is restricted to a type of nurse, whether a registered graduate professional nurse, a licensed practical nurse, or a licensed vocational nurse. If the words "nurse", "trained nurse" or "registered nurse" are used without specific instruction, then the insurer shall recognize the services of any individual who qualified under this terminology in accordance with the appli-

(continued)

cable statutes or administrative rules of the licensing or registry board of the state.

(6) "Physician" may be defined by including the words "duly qualified physician" or "duly licensed physician." An insurer using these terms shall recognize and accept, to the extent of its obligation under the contract, all providers of medical care and treatment when these services are within the scope of the provider's licensed authority and are provided pursuant to applicable laws.

(7) "Sickness" shall not be defined more restrictively than the following: "Sickness" means illness or disease of an insured person which first manifests itself after the effective date of insurance and while the insurance is in force. A definition of sickness may provide for a waiting period which will not exceed 30 days from the effective date of the coverage of the insured person. The definition may be further modified to exclude illnesses or diseases for which benefits are provided under any workers' compensation, occupational disease, employer's liability or similar law.

(8) "Skilled nursing care," "intermediate nursing care," and "personal/custodial care" shall not be defined more restrictively than the definitions set forth in K.S.A. 39-923 for skilled nursing care, supervised nursing care, and simple nursing care, respectively.

(9) "Guaranteed renewable" means:

(A) The insured has the right to continue the long term care insurance in force by the timely payment of premiums; and

(B) the insurer has no unilateral right to make any change in any provision of the policy or rider while the insurance is in force and cannot decline to renew the policy. However, rates may be revised by the insurer on a class basis.

(10) "Non-cancellable" means the insured has the right to continue the long term care insurance in force by the timely payment of premiums during which period the insurer has no right to unilaterally make any change in any provision of the insurance or in the premium rate.

(11) "Lapse" means termination of a policy due to failure by the policyholder to pay the premium within the time required.

(d) A certificate or individual policy delivered or issued for delivery shall not contain renewal provisions less favorable to the insured than "guaranteed renewable" for life. Any insurer may receive approval of another type of renewal provision if the insurer demonstrates to the satisfaction of the commissioner that the approval would be in recognition of the unique, developing and experimental nature of long term care insurance.

(e) A policy shall not be advertised, described, solicited, delivered, or issued for delivery in this state as long term care insurance if the policy, contract or rider limits or excludes coverage by type of illness, treatment, medical condition or accident, except for as follows:

(1) Mental or nervous disorders without demonstrable organic disease. This provision shall not exclude coverage for loss which results from organic brain disease, including alzheimer's disease or senile dementia.

(2) alcoholism and drug addiction;

(3) illness, treatment, medical condition or accident arising from:

(A) Participation in a felony, riot or insurrection;

(B) suicide, attempted suicide, or intentionally self-inflicted injury, whether sane or insane;

(C) aviation; or

(D) war or act of war, whether declared or undeclared.

(4) benefits provided under medicare or other governmental programs except medicaid, any state or federal workers' compensation, employer's liability or occupational disease law;

(5) services performed by a member of the covered person's immediate family; and

(6) services for which no charge is normally made in the absence of insurance.

(f) If a long term care insurance policy is terminated while an insured is confined in a nursing home, benefits provided as a result of receiving nursing home services shall continue until discharge from the nursing home, expiration of the policy benefit period, if any, or payment of the maximum benefits for nursing home services or maximum aggregate benefits under the policy, whichever comes first. For the purpose of this provision, continuous nursing confinement shall include transfer to another nursing home or receiving another level of nursing care in a nursing home. This subsection shall not apply if coverage under the policy terminates because of a lapse as defined in subsection (c)(11).

(g) A long term care policy may require a recommendation by a physician that the services are necessary due to illness, injury or infirmity, but shall not condition such benefits on medical necessity.

(h) A policy may contain a provision relating to recurrent confinements. However, a provision shall not specify that a recurrent condition be separated by a period greater than six months.

(i) Family coverage shall continue for any child who:

(1) is incapable of self-sustaining employment due to mental retardation or physical handicap on the date that the child's coverage would otherwise terminate under the policy due to the attainment of a specified age limit; and

(2) is chiefly dependent on the insured for support and maintenance. The policy may require that within 31 days of the date that the child's coverage would otherwise terminate, the company receive due proof of the child's incapacity for the insured to elect to continue the policy in force with respect to the child, or may require that a separate converted policy be issued at the option of the insured or policyholder.

(j) A long term care policy shall not contain an elimination period:

(1) Greater than 100 days for each period of confinement in a nursing home; or

(2) for all confinements in a nursing home which are due to the same or related causes and separated from each other by less than six months.

(k) A long term care policy may contain non-duplication of coverage provisions consistent with Kansas

insurance statutes, administrative regulations or which have been specifically approved by the commissioner.

(1) Subsections (d), (v), (w), (x), (y), and (z) of this regulation shall not apply to group long term care insurance policies issued to an employer-employee group.

(m) A long term care policy shall not exclude coverage for confinement to an intermediate nursing facility when benefits are provided for nursing care.

(n) A long term care policy shall not be delivered or issued for delivery to any person in this state unless every printed portion of the text of the policy is plainly printed in not less than 10 point type.

(o) A long term care policy shall not require prior confinement to a hospital or prior confinement for a greater level of nursing care as a condition precedent to the payment of inpatient benefits.

(p) A long term care insurance policy shall have the words "this is a limited policy—read it carefully" printed on or attached to the face of the policy in not less than 18 point bold face type or in some other manner that distinguishes it from the print otherwise appearing in the policy.

(q)(1) A long term care policy shall not be delivered in this state unless the following notice is attached to the policy:

"IMPORTANT NOTICE"

"Please read the copy of the application attached to this policy. Carefully check the application and write to the company . . . (address) . . . , within 30 days, if any information shown on it is not correct and complete, or if any past medical history has been left out of the application. This application is a part of the policy and the policy was issued on the basis that answers to all questions and the information shown on the application are correct and complete."

(2) This statement, preferably in the form of a sticker to be placed on the policy, shall be printed in a prominent manner on paper or in ink of a contrasting color. The insurer may, with the approval of the commissioner of insurance, substitute wording of similar import so long as equal results are obtained. This rule shall not apply if the application for insurance is not attached to and made a part of the contract.

(r) Individual long term care insurance policies shall include a renewal provision which complies with subsection (d) of this regulation. The provision shall:

- (1) Be appropriately captioned;
- (2) appear on the first page of the policy; and
- (3) clearly state the terms of renewability.

(s) A long term care insurance policy that provides for the payment of benefits based on standards described as "usual and customary," "reasonable and customary" or words of similar import shall include a definition and an explanation of these terms in its accompanying outline of coverage.

(t) If a long term care insurance policy or certificate contains any limitations with respect to pre-existing conditions, the limitations shall appear as a separate paragraph of the policy or certificate and be labeled as "pre-existing condition limitations."

(u) Definitions or provisions of the words "accident," "accidental injury," or "accidental means" shall not:

- (1) Include words which establish an accidental

means test or use words such as "external, violent, visible wounds" or similar words of description or characterization;

(2) be more restrictive than the following: "Injury or injuries for which benefits are provided means accidental bodily injury sustained by the insured person which is the direct result of an accident, independent of disease or bodily infirmity or any other cause, and occurs while insurance coverage is in force."

(3) This definition may provide that injuries shall not include injuries for which benefits are provided under workers' compensation, employer's liability or any similar law.

(v) Right to return—free look provision. Long term care insurance policies or certificates shall have a notice printed on or attached to the first page of the policy stating that the policyholder shall have the right to return the policy within 30 days of its delivery and to have the premium refunded if, after examination of the policy, the insured person is not satisfied for any reason. Any refund made pursuant to this section shall be paid directly to the applicant or named insured by the insurer within 10 business days following receipt of the returned policy by the insurer or its agent. The notice required by this section shall be printed in bold face type or in some other manner which distinguishes it from the print otherwise appearing in the policy.

(w) Long term care insurance application forms shall request information as to other accident and health insurance coverage in force and whether the insurance to be issued is intended to replace any other accident and sickness policy presently in force. A supplementary application or other form to be signed by the applicant containing such a question may be used.

(x) Upon determining that a sale will involve replacement, an insurer or its agent, other than a direct response insurer, shall furnish the applicant, prior to issuance or delivery of the individual long term care insurance policy, notice regarding replacement of accident and sickness coverage. One copy of the notice shall be retained by the applicant and an additional copy signed by the applicant shall be retained by the insurer. A direct response insurer shall deliver to the applicant upon issuance of the policy the notice regarding replacement of accident and sickness coverage.

(y) If a long term care policy replaces another long term care policy issued by the company or an affiliated company, the insurer shall waive any time periods applicable to pre-existing conditions, waiting periods, elimination periods and probationary periods present in the new long term care policy for similar benefits to the extent such time was spent under the original policy.

(z) The notice required by subsection (x) for an insurer, other than a direct response insurer, shall be provided in substantially the following form:

**NOTICE TO APPLICANT REGARDING
REPLACEMENT OF INDIVIDUAL ACCIDENT
AND SICKNESS INSURANCE**

According to (your application) (information you have furnished), you intend to lapse or otherwise terminate existing accident and sickness insurance and replace it with the individual long term care insurance policy to be issued by (company name) Insurance Com-

(continued)

pany. Your new policy provides 30 days within which you may decide without cost whether you desire to keep the policy. For your own information and protection, you should be aware of and seriously consider certain factors which may affect the insurance protection available to you under the new policy.

1. Health conditions which you may presently have (pre-existing conditions) may not be immediately or fully covered under the new policy. This could result in denial or delay of a payment for benefits under the new policy, whereas a similar claim may be payable under your present policy.
2. You may wish to secure the advice of your present insurer or its agent regarding the proposed replacement of your present policy. This is not only your right, but it is also in your best interest to make sure you understand all the relevant factors involved in replacing your present coverage.
3. If, after due consideration, you still wish to terminate your present policy and replace it with new coverage, be certain to truthfully and completely answer all questions on the application concerning your medical/health history. Failure to include all material medical information on an application may provide a basis for the company to deny any future claims and to refund your premium as though your policy had never been in force. After the application has been completed and before you sign it, reread it carefully to be certain that all information has been properly recorded.

The above "Notice to Applicant" was delivered to me on:

DATE

(Applicant's Signature)

(aa) The notice required by section (x) for a direct response insurer shall be as follows:

**NOTICE TO APPLICANT REGARDING REPLACEMENT
OF ACCIDENT AND SICKNESS INSURANCE**

According to (your application) (information you have furnished) you intend to lapse or otherwise terminate existing accident and sickness insurance and replace it with the long term care insurance policy delivered herewith issued by (company name) Insurance Company. Your new policy provides 30 days within which you may decide without cost whether you desire to keep the policy. For your own information and protection, you should be aware of and seriously consider certain factors which may affect the insurance protection available to you under the new policy.

1. Health conditions which you may presently have (pre-existing conditions) may not be immediately or fully covered under the new policy. This could result in denial or delay of a payment for benefits under the new policy, whereas a similar claim may be payable under your present policy.
2. You may wish to secure the advice of your present insurer or its agent regarding the proposed replacement of your present policy. This is not only your right, but it is also in your best interest to make sure you understand all the relevant factors involved in replacing your present coverage.
3. (To be included only if the application is attached to the policy.) If, after due consideration, you still wish to terminate your present policy and replace it with new coverage, read the copy of the application attached to your new policy and be sure that all questions are answered fully and correctly. Omissions or misstatements in the application could cause an otherwise valid claim to be denied. Carefully check the application and write to (company name and address) within 30 days if any information is not correct and complete, or if any past medical history has been left out of the application.

(Company Name)

(bb) Long term care insurance policies shall return to policyholders in the form of aggregate benefits under the policy, as estimated for the entire period for which rates are computed:

(1) At least 60 percent of the aggregate amount of premiums earned in the case of group policies; and

(2) At least 55 percent of the aggregate amount of premiums earned in the case of individual policies.

Aggregate benefits shall be determined on the basis of incurred claims experience and earned premiums for such period in accordance with accepted actuarial principles and practices. (Authorized by K.S.A. 40-103, K.S.A. 1990 Supp. 40-2228; implementing K.S.A. 1990 Supp. 40-2225, 40-2226, 40-2227 and 40-2228; effective, T-89-9, March 18, 1988; effective Sept. 12, 1988; amended Jan. 6, 1992.)

Ron Todd
Commissioner of Insurance

Doc. No. 011321

State of Kansas

Board of Mortuary Arts

**Permanent Administrative
Regulations**

**Article 1.—EMBALMING; CONTINUING
EDUCATION OF EMBALMERS AND
FUNERAL DIRECTORS**

63-1-1. Definitions. (a) "Board" means the state board of mortuary arts of Kansas.

(b) "Casket" means a rigid container which is designed for the encasement and burial of dead human bodies.

(c) "Disposition" means burial, cremation or permanent delivery of a dead human body to a medical institution.

(d) "Embalmer" means any person licensed in embalming.

(e) "Apprentice embalmer" means any person that has passed the written Kansas embalmer examination.

(f) "Student embalmer" means any person that has entered mortuary school with the intention of becoming an embalmer and has notified the board as such.

(g) "Embalming" means chemical preparation of a dead human body for disposition.

(h) "Funeral service or funeral" means a religious service or other rite or ceremony with a dead human body present.

(i) "Suitable combustible container" means any receptacle or enclosure other than a casket which is of sufficient strength to be used to hold and transport human remains including, but not limited to:

- (1) cardboard;
- (2) pressed wood;
- (3) composition containers; and

(4) canvas pouches. (Authorized by and implementing K.S.A. 74-1704, K.S.A. 1990 Supp. 65-1723, K.S.A. 65-1730; effective Jan. 1, 1966; amended Jan. 1, 1974; modified by L. 1978, ch. 465, May 1, 1978; amended May 1, 1979; amended May 1, 1982; amended May 1, 1986; amended May 1, 1987; amended May 1, 1988; amended Jan. 6, 1992.)

63-1-3. Registration and apprenticeship. (a) Each person desiring to enter the practice of embalming dead human bodies within the state of Kansas shall apply to the board for a "certificate of registration,"

no later than 30 days before the examination. Application forms provided by the board shall be used. Each application form shall be accompanied by:

(1) An official transcript of an approved institution of higher learning showing the applicant has met the educational requirements of K.S.A. 1990 Supp. 65-1701a, as amended by L. 1991, ch. 190, Sec. 1, or their equivalent; and

(2) a statement that the school, institute, community college, or university where the applicant completed education meets the following qualifications:

(A) The school, institute, community college, or university is approved by the board; and

(B) the school, institute, community college, college, or university is accredited by the American board of funeral service education or by any agency recognized by the United States commissioner of education as the proper agency for the accrediting of these schools.

(b) If an applicant has successfully completed the educational requirements stated in K.S.A. 1990 Supp. 65-1701a, as amended by L. 1991, ch. 190, Sec. 1, the applicant may file the college or the university transcript and the prescribed fee with the board. Upon receiving a "certificate of completion" or the degree offered by the school, each applicant shall be eligible to apply to take the embalmer's examination given by this board.

(c) In order to be granted an embalmer license the following educational requirements must be met: Each applicant shall enroll in an approved school of mortuary science offering at least an Associate of Arts degree in mortuary science. Each applicant shall obtain a minimum of 30 semester hours of mortuary science courses before being eligible to apply to take the embalmer's examination given by this board.

(d) Upon passing the examination, each applicant shall be registered under a licensed embalmer who shall be approved by the board for an embalmer apprenticeship. Each licensee under whom an apprentice is registered shall file quarterly reports of progress with the board. Upon successful completion of the apprenticeship, an embalmer's license shall be issued by the board upon payment of the pro-rated biennial fee.

(e) Each transcript and record filed with the board shall become part of the board's permanent files and records.

(f) If the applicant does not pass the examination within two years from the date of first application, that application shall automatically be canceled. Time served in the armed forces shall not be counted in computing this period. If the applicant desires to re-apply, the applicant shall make a new application and shall comply with the requirements of the board.

(g) If an apprentice embalmer fails to complete the apprenticeship within two years following the successful completion of the examination, the apprenticeship shall be canceled. Time served in the armed forces shall not be counted in computing this period. If the applicant later desires to complete the apprenticeship, the applicant shall first retake and pass the embalmer's examination.

(h) Each applicant who passes the examination shall receive credit toward the apprenticeship for time spent

in the armed forces if the applicant's primary duties were preparation of, and caring for, dead human bodies under the supervision of a person holding a valid embalmer's license in any state. The supervising licensee shall certify as to the duties of the applicant.

(i) Each embalmer apprentice shall serve full time. (Authorized by K.S.A. 74-1704; implementing K.S.A. 1990 Supp. 65-1701a as amended by L. 1991, ch. 190, sec. 1; effective Jan. 1, 1966; amended Jan. 1, 1967; amended Jan. 1, 1969; amended Jan. 1, 1974; amended, E-76-14, Feb. 28, 1975; amended May 1, 1976; amended May 1, 1978; amended May 1, 1982; amended May 1, 1983; amended May 1, 1986; amended May 1, 1987; amended May 1, 1988; amended June 26, 1989; amended March 19, 1990; amended Jan. 6, 1992.)

63-1-12. Embalmers biennial renewals. (a) Each embalmer license renewal fee shall be paid on a biennial basis. Each renewal fee shall be pro-rated to the nearest whole month on a one-time basis, to establish the biennial renewal process.

(b) Each expiration date shall be assigned alphabetically according to the first letter of the licensee's surname, as follows:

- (1) A and M shall expire on January 31;
- (2) B and N shall expire on February 28;
- (3) C and O shall expire on March 31;
- (4) D and P shall expire on April 30;
- (5) E and Q shall expire on May 31;
- (6) F and R shall expire on June 30;
- (7) G and S shall expire on July 31;
- (8) H and T shall expire on August 31;
- (9) I and U shall expire on September 30;
- (10) J and V shall expire on October 31;
- (11) K and W shall expire on November 30; and
- (12) L and X, Y and Z shall expire on December 31.

Each licensee whose surname begins with the letters A through L shall renew on even-numbered years; M through Z shall renew on odd-numbered years.

(c) (1) Any license which expires may be reinstated within six months of the expiration date upon payment of the renewal fee in arrears and a reinstatement fee in the amount equal to the renewal fee.

(2) Each licensee shall make up all past continuing education hours accrued during the expiration period within one year of reinstatement.

(d) Subsection (a) shall not apply to apprentice licensees or the period of apprenticeship under K.S.A. 1990 Supp. 65-1701a. The initial licensure fee for new embalmers shall be charged on a pro rata basis in order to place new licensees within the expiration dates of subsection (b).

(e) Each licensee changing the licensee's surname shall notify the board of the change and the expiration date shall be adjusted to the month so designated in subsection (b). (Authorized by and implementing K.S.A. 65-1702; effective, E-80-17, Oct. 17, 1979; effective May 1, 1980; amended May 1, 1986; amended May 1, 1988; amended June 26, 1989; amended Jan. 6, 1992.)

(continued)

**Article 3.—PREPARATION AND
TRANSPORTATION OF BODIES,
BURIAL IN MAUSOLEUMS
AND FUNERAL ESTABLISHMENTS**

63-3-11. Preparation and transportation of dead human bodies. Dead human bodies shall not be transported by private conveyance or common carrier until the following conditions are met: (a) Any unembalmed body released by the family or proper authority, other than a body dead with an infectious or contagious disease, may be transported by private conveyance within the state of Kansas if:

(1) A certificate of death has been filed according to laws and regulations set forth by the Kansas state department of health and environment; and

(2) After the body has been released to a funeral director, any transportation is supervised personally by the funeral director.

(b) Each body dead with an infectious or contagious disease shall be embalmed and cared for pursuant to K.A.R. 63-3-10 before it is removed from the city where the death occurred, or from the immediate vicinity if the death occurred in a rural area.

(c) A body dead from any cause may be transported by common carrier if:

(1) The body has been prepared and properly disinfected by arterial and cavity injection with an approved disinfecting fluid having a minimum phenol coefficient equal to that of a five percent formaldehyde solution. The amount of the fluid injected shall not be less than ($\frac{1}{10}$) of the body weight;

(2) all body orifices have been disinfected and plugged with dry cotton;

(3) the body has been washed with five percent formaldehyde or other disinfectant of equivalent coefficient; and

(4) the body is encased in a shipping case which is acceptable under the rules of the common carrier.

(d) A body dead from any cause may be interred or cremated without embalming if interment or cremation is within 24 hours of death. A reasonable period of time beyond 24 hours may be permitted if:

(1) Religious beliefs, laws or customs do not permit transportation or interments on Sabbath or holy days; and

(2) no health hazard or nuisance will result from such a delay.

(e) A body dead from any cause other than infectious or contagious disease may be interred or cremated without embalming if embalming would violate personal or religious beliefs and a health hazard or nuisance will not result. An unembalmed body may be retained in storage at a constant temperature of less than 40 degrees Fahrenheit. When that body is removed from storage and transported, the body shall reach its final destination within 24 hours following the removal from storage. If the body is placed in a metal or metal-lined hermetically sealed container immediately after death, the body may be considered, for the purpose of transporting, an embalmed body.

(f) If a casket has not been used in the preparation and transportation of the body that is to be cremated,

the body shall be placed in a suitable combustible container which shall be permanently closed before being released to a receiving crematory.

(g) This regulation shall not apply to bodies donated to the university of Kansas school of medicine. (Authorized by K.S.A. 65-1712, K.S.A. 74-1704, K.S.A. 1990 Supp. 65-1723, implementing K.S.A. 65-1712; effective Jan. 1, 1960; amended, E-72-6, Dec. 17, 1971; amended Jan. 1, 1973; amended May 1, 1976; amended May 1, 1978; modified, L. 1979, ch. 353, May 1, 1979; amended Jan. 6, 1992.)

63-3-17. Services and merchandise pricing. (a) Each funeral service casket in the casket selection room shall have a card or brochure which sets forth the price of the service using that casket and listing the services and other merchandise included in the price. Where there are separate prices for the casket, services, or the use of facilities and equipment, the card shall indicate the price of the casket and of each item separately priced.

(b) If a funeral service establishment uses the facilities of a manufacturer, jobber, or other place where caskets are displayed for selection, the funeral licensee conducting the service shall place the cards or brochures required by subsection (a) in the caskets before any selection is made by those arranging a funeral.

(c) Each funeral service licensee shall give to the person or persons making funeral arrangements a written price statement duly signed by the licensee or a representative of the funeral establishment or branch establishment. The written statement shall be provided at the time funeral arrangements are made or prior to the time the merchandise or services are provided. This written statement shall show:

(1) The price of the service that the family has selected and what services are included in it;

(2) the price of each of the supplemental items of service and merchandise or both requested; and

(3) the amount involved for each of the items for which the funeral director can advance funds as an accommodation to the family, insofar as any of the above can be specified at that time.

(d) Funeral service rental caskets shall be separately designated with a card or brochure in each casket. (Authorized by and implementing K.S.A. 1990 Supp. 65-1723, K.S.A. 65-1730; effective Jan. 1, 1974; amended May 1, 1978; amended May 1, 1982; amended Jan. 6, 1992.)

63-3-19. Establishment and branch establishment licenses; biennial renewal. (a) Each establishment and branch establishment license shall be renewed on a biennial basis.

(b) Each establishment and branch establishment license shall be renewed prior to its expiration date according to the first letter of the establishment and branch establishment license surname, as follows:

(1) H through J and T through Z shall expire on March 31;

(2) E through G and R through S shall expire on June 30;

(3) C and D and N through Q shall expire on September 30; and

(4) A and B and K through M shall expire on December 31.

(5) Each license with a surname beginning with letters A through J shall expire in odd-numbered years; K through Z shall expire in even-numbered years.

(c) Upon a change of ownership, name or location of any establishment or branch establishment, the owner thereof shall apply for and receive an establishment or branch establishment license before conducting funeral business. The owner shall also submit a report of any prefinanced funeral agreements which were transferred with the establishment.

(d) Each initial establishment or branch establishment license fee shall be charged on a pro rata basis to the nearest whole month under subsection (b). (Authorized by K.S.A. 65-1730; implementing K.S.A. 1990 Supp. 65-1729 and K.S.A. 65-1730; effective, E-80-17, Oct. 17, 1979; effective May 1, 1980; amended May 1, 1985; amended Jan. 6, 1992.)

63-3-20. Reporting of prefinanced funeral agreements. (a) Each funeral home licensed in the state of Kansas shall report to the state board of mortuary arts, on forms provided by the board, the following information concerning prefinanced funeral agreements entered into pursuant to K.S.A. 16-301 through K.S.A. 16-309:

(1) The numbers which identify the accounts, in the records of the funeral home, of each purchaser of merchandise and services pursuant to these agreements;

(2) the name of each bank, trust company, savings and loan association or credit union into which each purchaser's funds were deposited and the number of each named account;

(3) the amounts of each purchase pursuant to those agreements; and

(4) the date of each purchase.

(b) The reports shall accompany each funeral home's biennial application for renewal of its establishment or branch establishment license, as required by K.A.R. 63-3-19, and any notification of the secretary of the board made pursuant to K.A.R. 63-2-7(b). Each report shall include all prefinanced funeral agreements entered into by the funeral home for which any merchandise or service has not yet been rendered.

(c) Any funeral home may be required by the board, upon written complaint, to report the name and address of any purchaser and the corresponding account number described in subsection (a) above. The funeral home shall report the additional information within 10 days of receipt of the written request.

(d) Failure of any funeral home to comply with this regulation shall be grounds for refusal or revocation of its establishment or branch establishment license. (Authorized by and implementing K.S.A. 74-1730; effective May 1, 1984; amended May 1, 1986; amended Jan. 6, 1992.)

Article 4.—FEES

63-4-1. Payment of fees. (a) Effective January 1, 1992, the following fees shall be charged by the Kansas state board of mortuary arts:

Embalmer's examination fee	\$150.00
Embalmer's reciprocity application fee	\$250.00
Embalmer's biennial license & renewal fee	\$ 96.00
Apprentice embalmer's registration fee	\$ 50.00
Funeral director's examination fee	\$150.00
Funeral director's reciprocity application fee	\$250.00
Funeral director's biennial license & renewal fee	\$168.00
Assistant funeral director's application fee	\$ 75.00
Assistant funeral director's biennial license & renewal fee	\$120.00
Funeral Establishment and branch establishment biennial license and renewal fee ...	\$300.00

This regulation shall take effect on and after January 1, 1992. (Authorized by and implementing K.S.A. 1990 Supp. 65-1727, as amended by L. 1991, ch. 190, sec. 1; effective May 1, 1983; amended May 1, 1986; amended May 1, 1987; amended, T-88-43, Jan. 1, 1988; amended May 1, 1988; amended Jan. 6, 1992.)

Article 6.—CONTINUING EDUCATION

63-6-1. Continuing education requirements. (a) Except as provided in subsection (e), each licensee in this state shall submit with the license renewal application satisfactory proof of completion of a minimum of six clock-hours per year of continuing education course work approved by the board. A licensee filing proof of completion of continuing education course work with the board shall file each topic separately. Compliance with this continuing education requirement shall be prerequisite for a license renewal.

(b) Continuing education credit may be obtained by attending and participating in continuing education courses or workshops previously accredited by the board or which otherwise meet the requirements stated in K.A.R. 63-6-2 and are approved by the board.

(c) During the time an organization, educational institution, or person is an accredited sponsor, all continuing education programs of the organization, education institution, or person may be approved by the board.

(d) Any licensee desiring to obtain credit for completing more than 12 hours of approved continuing education credit during any two licensure years, shall report this carry-over credit to the board on or before the expiration of the licensee's current licensure year. The carry-over credit shall be limited to no more than six clock-hours.

(e) Continuing education requirements for individuals newly licensed by examination shall be waived for the first-time renewal of a license.

(f) No more than six hours shall be granted for any one approved continuing education topic. (Authorized by and implementing K.S.A. 65-1702 and 65-1716; effective May 1, 1988; amended Jan. 6, 1992.)

Douglas "Mack" Smith
Executive Secretary

Doc. No. 011318

INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. This cumulative index supplements the index found in the 1991 Supplement to the *Kansas Administrative Regulations*.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

Reg. No.	Action	Register
1-9-7a	Amended	V. 10, p. 382, 760
1-16-18	Amended	V. 10, p. 1470, 1497
1-17-1	Amended	V. 10, p. 1471
1-17-2	Amended	V. 10, p. 1471
1-17-2a	Amended	V. 10, p. 1471
1-49-1	Amended	V. 10, p. 1472

AGENCY 4: BOARD OF AGRICULTURE

Reg. No.	Action	Register
4-3-47	Amended	V. 10, p. 1319
4-3-49	Amended	V. 10, p. 1319
4-7-2	Amended	V. 10, p. 1319
4-7-510	Amended	V. 10, p. 1319
4-7-513	Amended	V. 10, p. 1319
4-7-530	New	V. 10, p. 1319
4-7-531	New	V. 10, p. 1319
4-7-532	New	V. 10, p. 1319
4-7-533	New	V. 10, p. 1320
4-7-716	Amended	V. 10, p. 1320
4-7-717	Amended	V. 10, p. 1320
4-7-722	Amended	V. 10, p. 1320
4-8-14	Revoked	V. 10, p. 1320
4-8-14a	New	V. 10, p. 1320
4-8-30	Amended	V. 10, p. 1321
4-8-39	Amended	V. 10, p. 1321
4-8-40	Amended	V. 10, p. 1321
4-13-28	New	V. 10, p. 1321
4-33-1	Amended	V. 10, p. 1315, 1321
4-33-2	New	V. 10, p. 1315, 1321

AGENCY 5: BOARD OF AGRICULTURE—DIVISION OF WATER RESOURCES

Reg. No.	Action	Register
5-23-3	Amended	V. 10, p. 1194
5-23-4a	New	V. 10, p. 1195
5-24-2	Amended	V. 10, p. 976
5-24-5	Amended	V. 10, p. 977

AGENCY 7: SECRETARY OF STATE

Reg. No.	Action	Register
7-30-1	Amended	V. 10, p. 728
7-32-1	Amended	V. 10, p. 728
7-32-2	New	V. 10, p. 728

AGENCY 9: ANIMAL HEALTH DEPARTMENT

Reg. No.	Action	Register
9-13-1	through	
9-13-3	Revoked	V. 10, p. 1011
9-13-4	Revoked	V. 10, p. 257
9-18-1	Amended	V. 10, p. 1011
9-19-1	New	V. 10, p. 1011

AGENCY 14: DEPARTMENT OF REVENUE—DIVISION OF ALCOHOLIC BEVERAGE CONTROL

Reg. No.	Action	Register
14-19-24	Amended	V. 10, p. 689
14-19-36	Amended	V. 10, p. 689
14-20-25	Amended	V. 10, p. 689
14-20-26	Amended	V. 10, p. 690

14-21-9	Amended	V. 10, p. 690
14-22-6	Amended	V. 10, p. 690
14-22-9	Amended	V. 10, p. 691
14-23-4	Amended	V. 10, p. 691

AGENCY 23: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
23-3-16	Revoked	V. 10, p. 916
23-8-24	Revoked	V. 10, p. 916
23-12-1	Revoked	V. 10, p. 916
23-12-8	Revoked	V. 10, p. 916
23-12-11	Revoked	V. 10, p. 917
23-21-1	through	
23-21-14	Revoked	V. 10, p. 1441

AGENCY 25: STATE GRAIN INSPECTION DEPARTMENT

Reg. No.	Action	Register
25-4-1	Amended	V. 10, p. 405

AGENCY 26: DEPARTMENT ON AGING

Reg. No.	Action	Register
26-8-1	through	
26-8-14	New	V. 10, p. 1285-1287

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

Reg. No.	Action	Register
28-4-405	Amended	V. 10, p. 257
28-4-530	New	V. 10, p. 1246
28-4-531	New	V. 10, p. 1246
28-17-6	Amended	V. 10, p. 1246
28-17-12	Amended	V. 10, p. 1246
28-19-61	Amended	V. 10, p. 1246
28-19-62	Amended	V. 10, p. 1250
28-19-76	New	V. 10, p. 1251
28-19-77	New	V. 10, p. 1252
28-19-78	New	V. 10, p. 1254
28-36-30	Amended	V. 10, p. 1655
28-39-77	Amended	V. 10, p. 1655
28-53-1	through	
28-53-5	New	V. 10, p. 199
28-59-1	through	
28-59-8	New	V. 10, p. 111-113

AGENCY 30: SOCIAL AND REHABILITATION SERVICES

Reg. No.	Action	Register
30-2-16	Amended	V. 10, p. 1353
30-4-34	Amended	V. 10, p. 956
30-4-41	Amended	V. 10, p. 1648
30-4-63	Amended	V. 10, p. 1353
30-4-64	Amended	V. 10, p. 1355
30-4-90	Amended	V. 10, p. 1356
30-4-101	Amended	V. 10, p. 1357
30-4-111	Amended	V. 10, p. 341
30-4-112	Amended	V. 10, p. 1648
30-4-113	Amended	V. 10, p. 693
30-4-120	Amended	V. 10, p. 343
30-4-130	Amended	V. 10, p. 961
30-5-58	Amended	V. 10, p. 1358
30-5-70	Amended	V. 10, p. 1363
30-5-77	Amended	V. 10, p. 1291
30-5-78	New	V. 10, p. 1364
30-5-79	New	V. 10, p. 1364
30-5-81	Amended	V. 10, p. 699
30-5-86	Amended	V. 10, p. 699
30-5-88	Amended	V. 10, p. 700
30-5-92	Amended	V. 10, p. 344
30-5-94	Amended	V. 10, p. 345
30-5-95	Amended	V. 10, p. 346
30-5-101	Amended	V. 10, p. 1365
30-5-103	Amended	V. 10, p. 1365
30-5-104	Amended	V. 10, p. 701
30-5-110	Amended	V. 10, p. 1365
30-5-112	Amended	V. 10, p. 963
30-5-113	Amended	V. 10, p. 963
30-5-114	Amended	V. 10, p. 1365
30-5-115	Amended	V. 10, p. 963

30-5-116	Amended	V. 10, p. 1496, 1649
30-5-116a	Amended	V. 10, p. 1496, 1649
30-5-151	Amended	V. 10, p. 963
30-5-152	Amended	V. 10, p. 963
30-5-154	Amended	V. 10, p. 963
30-5-156	Amended	V. 10, p. 963
30-5-157	Amended	V. 10, p. 964
30-5-159	Amended	V. 10, p. 964
30-5-160	Amended	V. 10, p. 964
30-5-161	Amended	V. 10, p. 964
30-5-162	Amended	V. 10, p. 964
30-5-163	Amended	V. 10, p. 964
30-5-164	Amended	V. 10, p. 964
30-5-166	Amended	V. 10, p. 964
30-5-167	Amended	V. 10, p. 964
30-5-168	Amended	V. 10, p. 964
30-5-169	Amended	V. 10, p. 964
30-5-170	Amended	V. 10, p. 965
30-5-171	Amended	V. 10, p. 965
30-6-53	Amended	V. 10, p. 1366
30-6-65	Amended	V. 10, p. 1650
30-6-74	Revoked	V. 10, p. 1366
30-6-77	Amended	V. 10, p. 701
30-6-82	New	V. 10, p. 702
30-6-86	Amended	V. 10, p. 348
30-6-94	New	V. 10, p. 1651
30-6-103	Amended	V. 10, p. 1651
30-6-106	Amended	V. 10, p. 1651
30-6-107	Amended	V. 10, p. 705
30-6-111	Amended	V. 10, p. 351
30-6-112	Amended	V. 10, p. 1653
30-6-113	Amended	V. 10, p. 706
30-7-65	Amended	V. 10, p. 707
30-7-76	Amended	V. 10, p. 1654
30-7-77	Amended	V. 10, p. 1655
30-7-78	Amended	V. 10, p. 1655
30-10-1a	Amended	V. 10, p. 1369
30-10-7	Amended	V. 10, p. 354
30-10-11	Amended	V. 10, p. 1371
30-10-15a	Amended	V. 10, p. 708
30-10-15b	Amended	V. 10, p. 1372
30-10-16	Amended	V. 10, p. 709
30-10-17	Amended	V. 10, p. 1373
30-10-18	Amended	V. 10, p. 1374
30-10-19	Amended	V. 10, p. 1376
30-10-23a	Amended	V. 10, p. 1376
30-10-24	Amended	V. 10, p. 1377
30-10-25	Amended	V. 10, p. 1378
30-10-27	Amended	V. 10, p. 1379
30-10-29	Amended	V. 10, p. 1379
30-10-30	Revoked	V. 10, p. 355
30-10-200	Amended	V. 10, p. 1198
30-10-207	Amended	V. 10, p. 1200
30-10-208	Amended	V. 10, p. 1200
30-10-210	through	
30-10-226	New	V. 10, p. 48-57
30-10-210	Amended	V. 10, p. 1202
30-10-211	Amended	V. 10, p. 1203
30-10-212	Amended	V. 10, p. 1204
30-10-213	Amended	V. 10, p. 1204
30-10-214	Amended	V. 10, p. 1230
30-10-215	Amended	V. 10, p. 1206
30-10-217	Amended	V. 10, p. 1206
30-10-218	Amended	V. 10, p. 1207
30-10-219	Amended	V. 10, p. 1207
30-10-220	Amended	V. 10, p. 1208
30-10-221	Amended	V. 10, p. 1208
30-10-226	Revoked	V. 10, p. 1209
30-22-1	Amended	V. 10, p. 1380
30-22-2	Amended	V. 10, p. 1380
30-22-5	Amended	V. 10, p. 1381
30-22-6	Amended	V. 10, p. 1381
30-22-11	through	
30-22-28	Revoked	V. 10, p. 1381
30-41-1	Amended	V. 10, p. 710
30-41-7a	Amended	V. 10, p. 711
30-41-7i	New	V. 10, p. 711
30-41-20	New	V. 10, p. 711
30-46-13	Amended	V. 10, p. 1381
30-46-14	Revoked	V. 10, p. 1381
30-46-15	Amended	V. 10, p. 1381

30-60-1	New	V. 10, p. 1381
30-60-2	New	V. 10, p. 1381
30-60-5	New	V. 10, p. 1382
30-60-6	New	V. 10, p. 1382
30-60-7	New	V. 10, p. 1383
30-60-10	New	V. 10, p. 1383
30-60-11	New	V. 10, p. 1383
30-60-12	New	V. 10, p. 1384
30-60-17	New	V. 10, p. 1384
30-60-18	New	V. 10, p. 1384
30-60-19	New	V. 10, p. 1384
30-60-25	New	V. 10, p. 1385
30-60-26	New	V. 10, p. 1385
30-60-27	New	V. 10, p. 1385
30-60-28	New	V. 10, p. 1386
30-60-40	New	V. 10, p. 1386
30-60-41	New	V. 10, p. 1386
30-60-45	New	V. 10, p. 1386
30-60-46	New	V. 10, p. 1386
30-60-47	New	V. 10, p. 1386
30-60-50	New	V. 10, p. 1387
30-60-55	New	V. 10, p. 1387
30-60-60	New	V. 10, p. 1388
30-60-61	New	V. 10, p. 1389
30-60-62	New	V. 10, p. 1389
30-60-70	New	V. 10, p. 1389
30-60-71	New	V. 10, p. 1390
30-60-72	New	V. 10, p. 1390
30-60-73	New	V. 10, p. 1390
30-60-74	New	V. 10, p. 1390
30-60-75	New	V. 10, p. 1390
30-60-76	New	V. 10, p. 1390
30-61-1	New	V. 10, p. 1391
30-61-2	New	V. 10, p. 1391
30-61-5	New	V. 10, p. 1391
30-61-6	New	V. 10, p. 1391
30-61-10	New	V. 10, p. 1391
30-61-15	New	V. 10, p. 1391
30-61-16	New	V. 10, p. 1392

AGENCY 36: DEPARTMENT OF TRANSPORTATION

Reg. No.	Action	Register
36-1-1	Amended	V. 10, p. 88
36-1-28 through 36-1-34	New	V. 10, p. 88-91

AGENCY 40: KANSAS INSURANCE DEPARTMENT

Reg. No.	Action	Register
40-1-28	Amended	V. 10, p. 1582
40-2-20	New	V. 10, p. 259, 383
40-2-21	New	V. 10, p. 1583
40-3-46	New	V. 10, p. 381
40-3-47	New	V. 10, p. 381
40-3-48	New	V. 10, p. 1584

AGENCY 44: DEPARTMENT OF CORRECTIONS

Reg. No.	Action	Register
44-6-106	Amended	V. 10, p. 1195
44-6-108	Amended	V. 10, p. 1195
44-6-114c	Amended	V. 10, p. 1196
44-6-120	Amended	V. 10, p. 1196
44-6-124	Amended	V. 10, p. 1196
44-6-126	Amended	V. 10, p. 1197
44-6-133	Amended	V. 10, p. 1197
44-6-134	Amended	V. 10, p. 1197
44-6-135	Amended	V. 10, p. 1197
44-6-142	Amended	V. 10, p. 1198

AGENCY 60: BOARD OF NURSING

Reg. No.	Action	Register
60-3-105	Amended	V. 10, p. 1040
60-3-106	Amended	V. 10, p. 1040
60-8-101	Amended	V. 10, p. 496
60-9-101	Revoked	V. 10, p. 1040
60-9-102	Revoked	V. 10, p. 1040
60-9-103	Revoked	V. 10, p. 1041
60-9-105	New	V. 10, p. 1041
60-9-106	New	V. 10, p. 1041
60-9-109	New	V. 10, p. 1041
60-11-103	Amended	V. 10, p. 1041
60-11-110	Revoked	V. 10, p. 1042
60-11-111	Revoked	V. 10, p. 1042

60-11-112	New	V. 10, p. 1042
60-11-113	New	V. 10, p. 1042, 1497
60-11-116	New	V. 10, p. 1042
60-11-117	New	V. 10, p. 1042
60-11-118	New	V. 10, p. 1042
60-11-119	New	V. 10, p. 1043
60-12-101	Revoked	V. 10, p. 1043
60-12-102	Revoked	V. 10, p. 1043
60-12-103	Revoked	V. 10, p. 1043
60-12-105	New	V. 10, p. 1043
60-12-106	New	V. 10, p. 1043
60-12-109	New	V. 10, p. 1043
60-13-101	Amended	V. 10, p. 496
60-13-105	Revoked	V. 10, p. 1044
60-13-106	Revoked	V. 10, p. 1044
60-13-107	Revoked	V. 10, p. 1044
60-13-108	Revoked	V. 10, p. 1044
60-13-110	New	V. 10, p. 1044
60-13-111	New	V. 10, p. 1044
60-13-112	New	V. 10, p. 1044
60-13-115	New	V. 10, p. 1044
60-15-101	Amended	V. 10, p. 1045
60-15-102	Amended	V. 10, p. 1045
60-15-103	Amended	V. 10, p. 1046
60-15-104	Amended	V. 10, p. 1046

AGENCY 67: BOARD OF HEARING AID EXAMINERS

Reg. No.	Action	Register
67-3-4	New	V. 10, p. 887

AGENCY 68: BOARD OF PHARMACY

Reg. No.	Action	Register
68-7-10	Amended	V. 10, p. 1082
68-9-1	Amended	V. 10, p. 1083
68-11-1	Amended	V. 10, p. 216
68-20-15a	Amended	V. 10, p. 1084
68-20-18	Amended	V. 10, p. 1084
68-20-19	Amended	V. 10, p. 1085

AGENCY 74: BOARD OF ACCOUNTANCY

Reg. No.	Action	Register
74-2-7	Amended	V. 10, p. 840
74-4-6	Amended	V. 10, p. 841
74-5-2	Amended	V. 10, p. 841
74-5-403	Amended	V. 10, p. 842

AGENCY 75: CONSUMER CREDIT COMMISSIONER

Reg. No.	Action	Register
75-6-26	Amended	V. 10, p. 1353

AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER

Reg. No.	Action	Register
81-2-1	Amended	V. 10, p. 1242
81-3-1	Amended	V. 10, p. 1242
81-3-2	Amended	V. 10, p. 1244
81-4-1	Amended	V. 10, p. 1245, 1316
81-4-2	New	V. 10, p. 172
81-4-3	New	V. 10, p. 1440
81-5-8	Amended	V. 10, p. 1245
81-5-9	New	V. 10, p. 1440
81-6-1	Amended	V. 10, p. 173

AGENCY 82: STATE CORPORATION COMMISSION

Reg. No.	Action	Register
82-3-101	Amended	V. 10, p. 887
82-3-307	Amended	V. 10, p. 976
82-3-600	Amended	V. 10, p. 890
82-3-600b	New	V. 10, p. 890
82-3-601	Revoked	V. 10, p. 891
82-3-601a	New	V. 10, p. 891
82-3-601b	New	V. 10, p. 891
82-3-602	Amended	V. 10, p. 891
82-3-605	New	V. 10, p. 892
82-4-1	Amended	V. 10, p. 1121
82-4-2	Amended	V. 10, p. 1121
82-4-3	Amended	V. 10, p. 1122
82-4-6a	Amended	V. 10, p. 1122
82-4-6b	Revoked	V. 10, p. 1122
82-4-6d	Amended	V. 10, p. 1122
82-4-19a	Revoked	V. 10, p. 1123
82-4-20	Amended	V. 10, p. 1123
82-4-27	Amended	V. 10, p. 1123
82-4-27a	Amended	V. 10, p. 1124

82-4-27c	Amended	V. 10, p. 1124
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AGENCY 86: REAL ESTATE COMMISSION

Reg. No.	Action	Register
86-1-4	Amended	V. 10, p. 1466
86-1-5	Amended	V. 10, p. 531
86-1-11	Amended	V. 10, p. 1466
86-3-10	Amended	V. 10, p. 1467
86-3-21	Amended	V. 10, p. 1467

AGENCY 88: BOARD OF REGENTS

Reg. No.	Action	Register
88-2-1	Amended	V. 10, p. 1467
88-2-2	Amended	V. 10, p. 1467
88-2-3	Amended	V. 10, p. 1467
88-2-4	Amended	V. 10, p. 1468
88-3-1	Amended	V. 10, p. 1468
88-3-2	Amended	V. 10, p. 1508
88-3-3	Amended	V. 10, p. 1469
88-3-5	Amended	V. 10, p. 1469
88-3-8	Amended	V. 10, p. 1469
88-3-9	Amended	V. 10, p. 1469
88-3-10	Amended	V. 10, p. 1469
88-3-11	Amended	V. 10, p. 1469
88-3-12	Amended	V. 10, p. 1470

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-1-68	Revoked	V. 10, p. 1046
91-1-68a	New	V. 10, p. 1046
91-1-68b	New	V. 10, p. 1047
91-1-68c	New	V. 10, p. 1048
91-1-68d	New	V. 10, p. 1049
91-1-69	Revoked	V. 10, p. 1050
91-1-101b	Amended	V. 10, p. 1050
91-1-112a	Amended	V. 10, p. 1051
91-1-150	Amended	V. 10, p. 1051
91-10-1	Revoked	V. 10, p. 1051
91-10-1a	New	V. 10, p. 1052
91-12-22	Amended	V. 10, p. 1052
91-12-25	Amended	V. 10, p. 1055
91-12-51	Amended	V. 10, p. 1056
91-12-73	Amended	V. 10, p. 1056
91-31-7	Amended	V. 10, p. 686
91-35-1 through 91-35-4	New	V. 10, p. 909, 910
91-37-1 through 91-37-4	New	V. 10, p. 910, 911

AGENCY 92: DEPARTMENT OF REVENUE

Reg. No.	Action	Register
92-55-2a	New	V. 10, p. 531, 587

AGENCY 99: BOARD OF AGRICULTURE—DIVISION OF WEIGHTS AND MEASURES

Reg. No.	Action	Register
99-8-8	Amended	V. 10, p. 1322
99-8-9	Amended	V. 10, p. 1322
99-25-1	Amended	V. 10, p. 1322
99-25-2	Amended	V. 10, p. 1322
99-25-3	Amended	V. 10, p. 1322
99-30-2	Amended	V. 10, p. 1322
99-30-3	Amended	V. 10, p. 1323
99-30-4	Amended	V. 10, p. 1323
99-30-5	Amended	V. 10, p. 1323
99-30-6	Amended	V. 10, p. 1323
99-31-3	Amended	V. 10, p. 1323
99-31-4	Amended	V. 10, p. 1323
99-32-1 through 99-32-6	Revoked	V. 10, p. 1323

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-10a-4	Amended	V. 10, p. 653
100-11-1	Amended	V. 10, p. 653

AGENCY 111: THE KANSAS LOTTERY

Reg. No.	Action	Register
111-1-2	Amended	V. 7, p. 1190
111-1-5	Amended	V. 8, p. 586
111-2-1	Amended	V. 7, p. 1995
111-2-2	Amended	V. 9, p. 1675

(continued)

111-2-2a	Revoked	V. 9, p. 1675	111-4-245			111-7-54	Amended	V. 10, p. 1476
111-2-6	New	V. 8, p. 134	through			111-7-55		
111-2-7	Revoked	V. 10, p. 1210	111-4-248	New	V. 10, p. 200	through		
111-2-13	Revoked	V. 10, p. 881	111-4-249			111-7-63	Revoked	V. 10, p. 1217
111-2-14	New	V. 9, p. 30	through			111-7-58	Amended	V. 10, p. 261
111-2-15	Revoked	V. 10, p. 881	111-4-252	New	V. 9, p. 1813	111-7-60	Amended	V. 10, p. 262
111-2-16	Revoked	V. 10, p. 1210	111-4-253			111-8-1	New	V. 7, p. 1633
111-2-17	Revoked	V. 10, p. 1210	through			111-8-2	New	V. 7, p. 1633
111-2-18	New	V. 10, p. 881	111-4-256	New	V. 10, p. 530	111-8-3	Amended	V. 10, p. 886
111-2-19	New	V. 10, p. 882	111-4-257			111-8-4	New	V. 7, p. 1714
111-3-1	Amended	V. 10, p. 1210	through			111-8-4a	New	V. 7, p. 1995
111-3-9	Amended	V. 8, p. 1085	111-4-280	New	V. 10, p. 755-759	111-8-5		
111-3-10			111-4-257	Amended	V. 10, p. 1014	through		
through			111-4-261	Amended	V. 10, p. 1014	111-8-13	New	V. 7, p. 1634
111-3-31	New	V. 7, p. 201-206	111-4-262	Amended	V. 10, p. 1014	111-9-1		
111-3-11	Amended	V. 8, p. 299	111-4-282			through		
111-3-12	Amended	V. 10, p. 12	through			111-9-12	New	V. 7, p. 1714-1716
111-3-13	Amended	V. 10, p. 1014	111-4-286	New	V. 10, p. 759	111-9-1		
111-3-14	Amended	V. 10, p. 12	111-4-287			through		
111-3-16	Amended	V. 9, p. 1566	through			111-9-6	Revoked	V. 9, p. 1680
111-3-19			111-4-300	New	V. 10, p. 883-886	111-9-13		
through			111-4-301			through		
111-3-22	Amended	V. 9, p. 30	through			111-9-18	Revoked	V. 9, p. 1680
111-3-20	Amended	V. 10, p. 1211	111-4-307	New	V. 10, p. 1015, 1016	111-9-25		
111-3-21	Amended	V. 10, p. 882	111-4-308			through		
111-3-22	Amended	V. 10, p. 882	through			111-9-30	New	V. 9, p. 699, 700
111-3-23	Revoked	V. 10, p. 883	111-4-320	New	V. 10, p. 1214, 1215	111-9-31		
111-3-25	Amended	V. 10, p. 883	111-4-308	Amended	V. 10, p. 1472	through		
111-3-27	Amended	V. 10, p. 883	111-4-311	Amended	V. 10, p. 1472	111-9-36	New	V. 10, p. 262
111-3-29	Amended	V. 10, p. 883	111-4-312	Amended	V. 10, p. 1472	111-9-37		
111-3-31	Amended	V. 8, p. 209	111-4-322			through		
111-3-32	Amended	V. 10, p. 883	through			111-9-48	New	V. 10, p. 1439, 1440
111-3-33	New	V. 7, p. 1434	111-4-331	New	V. 10, p. 1411-1413	111-10-1		
111-4-1	Amended	V. 8, p. 134	111-4-332			through		
111-4-2	Amended	V. 7, p. 1063	through			111-10-9	New	V. 8, p. 136-138
111-4-4	Amended	V. 7, p. 1063	111-4-335	New	V. 10, p. 1473	111-10-7	Amended	V. 8, p. 301
111-4-6	Amended	V. 7, p. 1434	111-4-336					
111-4-7	Amended	V. 7, p. 1945	through			AGENCY 112: KANSAS RACING COMMISSION		
111-4-8	Amended	V. 7, p. 1064	111-4-345	New	V. 10, p. 1526-1528	Reg. No.	Action	Register
111-4-12	Amended	V. 7, p. 1190	111-4-346			112-4-14b	New	V. 10, p. 162
111-4-66			through			112-4-21	New	V. 10, p. 162
through			111-4-361	New	V. 10, p. 1586-1589	112-6-1		
111-4-77	New	V. 7, p. 207-209	111-5-1			through		
111-4-96			through			112-6-5	Amended	V. 10, p. 163-165
through			111-5-23	New	V. 7, p. 209-213	112-6-8	Amended	V. 10, p. 165
111-4-114	New	V. 7, p. 1606-1610	111-5-9			112-7-6	Amended	V. 10, p. 165
111-4-100	Amended	V. 10, p. 1211	through			112-8-3	Amended	V. 10, p. 166
111-4-101	Amended	V. 10, p. 1211	111-5-15	Amended	V. 8, p. 210, 211	112-8-4	Amended	V. 10, p. 167
111-4-102	Amended	V. 10, p. 1211	111-5-11	Amended	V. 9, p. 505	112-8-5	Amended	V. 10, p. 167
111-4-103	Amended	V. 10, p. 1211	111-5-17	Amended	V. 8, p. 211	112-8-8	Amended	V. 10, p. 168
111-4-104	Amended	V. 10, p. 1212	111-5-18	Amended	V. 10, p. 13	112-8-10	Amended	V. 10, p. 168
111-4-105	Amended	V. 10, p. 1410	111-5-19	Amended	V. 8, p. 212	112-9-41	Revoked	V. 10, p. 1494
111-4-106	Amended	V. 10, p. 1212	111-6-1			112-9-41a	New	V. 10, p. 1494
111-4-106a	Amended	V. 10, p. 1213	through			112-10-34	Amended	V. 10, p. 169
111-4-107	Amended	V. 9, p. 1366	111-6-15	New	V. 7, p. 213-217	112-10-35	Amended	V. 10, p. 170
111-4-108	Amended	V. 10, p. 1213	111-6-1	Amended	V. 10, p. 1474	112-11-21	Amended	V. 10, p. 263, 531
111-4-111	Amended	V. 9, p. 1366	111-6-3	Amended	V. 9, p. 200	112-12-12	Amended	V. 10, p. 170
111-4-113	Amended	V. 9, p. 1366	111-6-4	Amended	V. 10, p. 1413	112-13-2	Amended	V. 10, p. 170
111-4-114	Amended	V. 9, p. 1366	111-6-5	Amended	V. 10, p. 14	112-13-4	New	V. 10, p. 171
111-4-153			111-6-6	Amended	V. 10, p. 1474	112-13-5	New	V. 10, p. 171
through			111-6-9	Amended	V. 10, p. 1217	112-16-1		
111-4-160	Revoked	V. 9, p. 1676, 1677	111-6-12	Amended	V. 8, p. 212	through		
111-4-177			111-6-13	Amended	V. 8, p. 299	112-16-14	New	V. 10, p. 1316-1318
through			111-6-17	Revoked	V. 10, p. 1475			
111-4-212	Revoked	V. 9, p. 1677, 1678	111-7-1			AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS		
111-4-213			through			Reg. No.	Action	Register
through			111-7-10	New	V. 7, p. 1192, 1193	115-4-1	Amended	V. 10, p. 458
111-4-220	Revoked	V. 10, p. 1213	111-7-1	Amended	V. 8, p. 212	115-4-3	Amended	V. 10, p. 458
111-4-217	Amended	V. 9, p. 986	111-7-3	Amended	V. 10, p. 1475	115-4-5	Amended	V. 10, p. 782
111-4-221			111-7-4	Amended	V. 9, p. 1367	115-4-7	Amended	V. 10, p. 460
through			111-7-5	Amended	V. 9, p. 986	115-4-11	Amended	V. 10, p. 461
111-4-224	Revoked	V. 10, p. 1585	111-7-6	Amended	V. 9, p. 987	115-4-12	New	V. 10, p. 461
111-4-225			111-7-9	Amended	V. 9, p. 1569	115-13-1		
through			111-7-11	Amended	V. 10, p. 1475	through		
111-4-228	Revoked	V. 10, p. 1585	111-7-12			115-13-5	New	V. 10, p. 917-919
111-4-229			through			115-14-1		
through			111-7-32	New	V. 7, p. 1194-1196	115-14-10	New	V. 10, p. 1441-1443
111-4-236	Revoked	V. 10, p. 1585, 1586	111-7-33			115-17-10		
111-4-237			111-7-33a	New	V. 7, p. 1197, 1198	through		
through			111-7-44	New	V. 8, p. 300	115-17-13	New	V. 10, p. 461, 462
111-4-240	New	V. 9, p. 1678, 1679	111-7-54					
111-4-241			through					
through			111-7-54	New	V. 9, p. 1367-1370			
111-4-244	New	V. 9, p. 1812	111-7-46	Amended	V. 10, p. 1476			

AGENCY 117: REAL ESTATE APPRAISAL BOARD								
Reg. No.	Action	Register						
117-1-1	Amended	V. 10, p. 911, 951	117-3-2	Amended	V. 10, p. 913, 953	117-7-1	Amended	V. 10, p. 916, 956
117-2-1	Amended	V. 10, p. 911, 952	117-3-3	New	V. 10, p. 913, 953	117-8-1	New	V. 10, p. 916, 956
117-2-2	Amended	V. 10, p. 912, 952	117-3-4	New	V. 10, p. 913, 953	117-9-1	New	V. 10, p. 916, 956
117-2-3	New	V. 10, p. 912, 952	117-4-1			AGENCY 119: KANSAS DEVELOPMENT FINANCE AUTHORITY		
117-2-4	New	V. 10, p. 912, 952	117-4-4	New	V. 10, p. 913, 914, 954	Reg. No.	Action	Register
117-3-1	Amended	V. 10, p. 912, 953	117-6-1	Amended	V. 10, p. 914, 954	119-1-1	New	V. 10, p. 263
			117-6-2	Amended	V. 10, p. 915, 955	119-1-2	New	V. 10, p. 264
			117-6-3	Amended	V. 10, p. 915, 955	119-1-3	New	V. 10, p. 264

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